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ABSTRACT

This book is a study of civil cases, filed in court after 1976, involving students in elementary and high schools. The number of cases comes to 1,632, of which 769 are concerned with special education, 290 with disciplinary matters, and 248 with sports. The remaining cases deal with racial and sex discrimination, freedom of religion, establishment of religion, freedom of speech, and other subjects. The study does not include cases involving teachers or college students, ordinary personal injury cases, or criminal and juvenile actions. The catalog forms the bulk of the book, listing cases alphabetically by state. Each case entry is preceded by one or more code numbers indicating the type of issue (organized under the topics mentioned above into 54 sub-categories). The case entries provide information about the name and procedural history of each case, the issues, and the plaintiffs' attorneys. Other sections of the catalog explain the procedures used to find the cases and attempt to estimate the completeness of the compilation. Additional statistical information provided in the study includes the incidence of cases of each type in each state, the number of cases filed by students or by schools, the types of attorneys, the number of filings by year, and the outcomes of the cases. (Author/MLF)

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STUDENT LITIGATION

A Compilation and Analysis of Civil Cases Involving Students

1977-1981

by

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1. INTRODUCTION

This book is a study of civil cases, filed in court after 1976, involving students in elementary and high schools. The catalog of such cases comes to 1,632, of which 769 are concerned with special education, 290 with disciplinary matters, and 248 with sports. The remaining cases deal with racial and sex discrimination, freedom of religion, establishment of religion, freedom of speech, and many other subjects. The study does not include cases involving teachers or college students, ordinary personal injury cases, or criminal and juvenile actions. The catalog forms the bulk of the book, listing cases alphabetically by state; each case entry is preceded by one or more code numbers indicating the type of issue.

The compilation was undertaken for two reasons. The first was to discover how frequently the various issues concerning students are being litigated. Most government officials and attorneys in the education field have limited knowledge about the frequency and scope of such litigation in their states. Many disputes are local, and because they only involve local school boards, local courts, and local attorneys, they are little known outside the particular town or school district.

The second reason for gathering the cases was one important to the National Center for State Courts as an organization devoted to improving court structure and operation. We are studying attorneys' selection of courts--how often they choose state courts as opposed to federal courts, why they choose one forum or the other, and what this tells us about areas for improvement. This topic will be explored more fully in a second report, to be issued later. The study of forum choice, it is important to note, influences the scope of the catalog: we chose topics in which federal law predominates (by excluding teacher cases and personal injury cases), and we did not include cases filed before 1977, even though still pending, because we desired a sample of cases that could be compared statistically when studying forum choice.

Although some cases in the catalog are available from reported decisions and from other published sources, most were found by telephoning thousands of attorneys around the country. As best we can estimate, we have obtained 60 to 70 percent of the cases falling within the scope of the study; the percentage is higher for 1979 and 1980 cases and lower for 1977 and 1978 cases. Only several 1981 cases are included since the search was conducted over seven months ending in early June. The catalog is most nearly complete in the special education area; we found approximately 80 percent of these cases. The catalog is reasonably complete in sports, religion, and civil rights cases--probably two-thirds complete. The most difficult cases to locate were those dealing with discipline and school assignment, for only lawyers in the immediate vicinity generally know about these cases. Here the catalog may be substantially less than half complete.

The book is organized as follows: Section 2 defines the types of cases in the catalog. The third section describes the organization and content of a case entry, explaining the types of information given about each case in the catalog. The fourth describes the issues found in the cases, arranging them according to an index system that can be used to locate specific types of cases in the catalog. It also contains a table giving the incidence of cases of each type in each state. The fifth section gives additional statistical information: the number of cases filed by students or by schools, the types of attorneys, the number of filings by year, and the outcomes of the cases. The sixth section explains the procedures used to find the cases--e.g., the published sources of information and the types of people contacted--and the seventh section attempts to estimate the completeness of the compilation. Finally, the bulk of the book is the catalog of the 1,632 cases.

2. DESCRIPTION OF CASES IN THE CATALOG

The catalog contains student litigation filed in court after 1976. A more exact definition emerges from the following list of qualifications for inclusion.

1. Court Cases. Only if a complaint was filed in a state or federal court is a case included. Cases before administrative agencies are excluded.

2. Cases Filed After 1976. The cases must have been filed no earlier than January 1977; even cases filed in late December 1976 are not included. A few attorneys contacted were not sure whether their cases were filed in 1977 or earlier, and we asked for their best estimate. The date of filing is the date filed in the original trial court; appeals from trial court decisions are not included unless the original trial court filing was after 1976. The few cases filed originally in appellate courts are included if filed after 1976.

3. Cases with Minimum Information. Cases are not included unless we obtained the case name, the general issue, and a filing date after 1976. A few cases are included with incomplete information about the procedural history or the attorneys.

4. Civil Cases Only. The catalog is limited to civil cases. It does not contain criminal, juvenile delinquency, status offense, or dependency cases, even though such cases occasionally contain education issues in the disposition phase. The catalog, therefore, is largely limited to cases in the general jurisdiction trial courts, although cases in juvenile, family, or other limited jurisdiction courts are included if they otherwise meet the criteria set forth here.

5. School Cases. The catalog contains only cases involving elementary and high school students. It does not include those involving preschool students, university or college students, trade school students, or incarcerated juveniles; nor does it include cases involving institutionalized children when the major issues concern quality of treatment rather than education.

6. Cases Involving Students. The catalog does not include cases involving teachers, school board operations, construction contracts, or a host of other topics that do not directly involve students. A student (or a parent or guardian) is a plaintiff or defendant in almost all cases listed, although teachers and others are the parties in a few cases where the issue is closely connected to student matters, such as curriculum content.

7. No Ordinary Personal Injury Cases. We excluded ordinary personal injury cases filed by students (e.g., for injuries incurred during sports). We included, however, tort suits and other damage actions that involve matters of student rights, such as actions for damages arising from corporal punishment.

For further information about the types of cases in the catalog the reader should consult Section 4 (page 5), which gives a narrative description of issue categories under which cases may be located in the catalog.

3. DESCRIPTION OF ENTRIES IN THE CATALOG

The entries in the catalog provide concise information about the name and procedural history of each case, the issues, and the plaintiffs' attorneys. The attorneys (or in a few cases, the reported decisions) can be consulted for more comprehensive information. The following items describe the contents in each case entry.

1. Name of Case. The short form is used, giving only the first party named on each side and only the last name of individuals. The spelling may be incorrect in a few cases, and the exact defendant is occasionally uncertain, since the attorneys contacted sometimes relied on memory for the case names. When names changed as a case progressed, we used the latest name available. Cases listed in the catalog are styled in the manner requested by the plaintiffs' attorneys. A few attorneys requested "Doe" plaintiffs or deletion of last names, even though the full names are on record. When the plaintiff is designated by the full first name and the initial of the last name, the case is placed alphabetically in the catalog according to the initial of the last name (so it can be located also by the full last name). The same rule applies when the plaintiff is designated only by initials of first and last names. Cases styled "In re" or "In the matter of" are placed alphabetically according to the name of the child.

2. Court in Which Filed. Immediately after the case name is the name of the court in which the case was originally filed, almost always a general jurisdiction trial court. When two or more separate cases were filed concerning the same or similar incidents, they are shown separately if treated as separate filings by the parties and not consolidated soon after the filings. Cases removed from a state to a federal court and certified questions from a federal to a state court are not counted as separate cases. The name of the court is abbreviated; for example, a United States District

Court is "U.S. Dist. Ct." The court location is usually given--the district for federal courts (e.g., "W. D." for the Western District) or the county for state courts.

3. Date of Filing. The next entry is the year, with, when available, the month of filing. As previously indicated, the catalog includes only cases originally filed in 1977 or later. Attorneys were occasionally uncertain about the year of filing, especially for cases filed before 1980, and they were asked to give their best guess. Independent information about the filing dates, however, was obtained for most cases from reports or from docket numbers. In a few rare cases, the attorney would not hazard a guess, but believed the case was filed after 1976; a filing date is not given for these cases.

4. Whether a Class Action. The phrase "class action" is placed after the filing date whenever the case was filed as a class action, whether or not later certified as such. (In most instances the class was never certified, generally because the certification question was still pending or because the case was settled before the question was decided.)

5. Major Events in the Case. The next entries give the procedural history after filing. We have included only decisions, filings of appeals, and other events of major significance. We have not included discovery, settlement discussions, or a host of other occurrences in normal litigation. Preliminary injunctions and temporary restraining orders are shown when there is no other court disposition in the case. The decision, if any, by the trial court (and appellate court) is stated as follows: "Decision Dec. 1980, D"--giving the year and month of the decision and the party for whom the court ruled. The notation "P" means that the plaintiff won, "D" that the defendant won, and "M" that the outcome was mixed. We usually used the plaintiff's judgment about who won the case. It must be recognized, of course, that this is not an unbiased opinion; so we often used independent information from written reports. Still, there is often uncertainty about which side really won when the court ruled for the plaintiff on some issues and for the defendant on others.

Some information about procedural history is not up to date. We telephoned attorneys from November 1980 to June 1981, and we do not have current information about many cases located early in this period. When no information is given about procedure other than the filing date, the case was almost always still pending when we talked to the attorney. For a very few cases, we have no information about events after filing.

A case is shown as "settled" whenever the attorney considers it settled, even though there has been neither a formal settlement filed with the court nor a formal dismissal of the action. Settled cases include consent judgments. A case "withdrawn" is one abandoned by the plaintiff without a settlement. A case is "moot" when the underlying reason for the cause of action no longer exists (typically, because the child has left the school). We have made no attempt to determine who actually won the settled, withdrawn, or moot cases, because that would involve quite subjective judgments by the attorneys contacted.

The appellate history, if any, includes the date of the appellate court filing, date of the decision, and the outcome (P, D, or M). Citations to trial or appellate decisions are included. Published opinions are cited to the West Reporter. When there is no such citation, other references are used when available, especially the Education for the Handicapped Law Report (EHLR), the Education Law Bulletin (ELB), and the Clearinghouse Review (CHR). See the list on page 29 for more information about these references.

6. The Issue. The next item is a short statement of the issue or issues. No attempt was made to describe the complex legal questions presented by many of the cases. Although the description was usually obtained from the plaintiff's attorney by telephone, every effort has been made to state the issue in an unbiased manner. We also used descriptions of the issues given in published opinions or other sources, especially those listed on page 29. The issues outlined do not include those collateral to a student's dispute, such as attorney's fees. Although many procedural issues are given in the issue statements, more may have been involved, for attorneys often stressed only the substantive issues when describing their cases. The issues in special education cases are prefaced by the abbreviation "Sp. Ed."

The issues are coded according to issue categories explained in Section 4, and the codes are placed in brackets at the beginning of each entry. One can, therefore, locate cases dealing with a particular issue by first looking at Table 2 (pages 8 to 10) to find the states where the issue occurs and then quickly glancing down the lefthand side of each entry in the catalog for the issue code in those states.

7. Plaintiff's Attorney. The last entry is the name, address, and telephone number of the plaintiff's attorney. We give the plaintiff's attorney rather than the defense attorney because in studying reasons for forum selection we necessarily obtained information from the lawyers who had filed the cases. Only one plaintiff's attorney is named in each case, even though many cases have several. We tried to locate the lead attorney (or one of several lead attorneys) for the plaintiff. Information about the plaintiff's attorney is not given in a few cases, either because they were filed by non-lawyer parents (pro se cases) or because we were not able to determine who the attorney was. Several defense attorneys asked us to include defense attorneys also; unfortunately, this process had to be abandoned after an initial attempt, because gathering and checking the name, address, and phone number of each defense attorney proved too time consuming.

4. DESCRIPTION OF ISSUES IN THE CATALOG

The cases in the catalog have been coded according to the issues as listed in Table 1, page 7. This list of 54 issue categories was developed to analyze the types of cases being litigated, and to aid readers in locating cases with specific types of issues. Here we shall describe in more detail than in Table 1 the content of the issue categories. The purpose is solely to describe the kinds of cases in the various categories; it is not intended to be a legal analysis of the issues. In fact, there are only a few references to specific statutes or court decisions.

Handicap Cases

These cases concern special education for handicapped children, usually based on P.L. 94-142, the Education for All Handicapped Children Act of 1975 (20 U.S.C. 1401 et seq.). Also, several states have local statutes comparable to P.L. 94-142, notably Massachusetts, whose law preceded P.L. 94-142 and is used in that state more often than the federal law. In general, attorneys in handicap cases have a choice of suing under either the federal or the state statutes in the states that have strong education laws for the handicapped.

H1. Placement Outside Public Schools [352 cases]. Here the parents of handicapped children typically seek placement in private day school or residential school, contending that the regular public schools cannot provide adequate special education. A few cases in this category are disputes about what kind of private placement is more appropriate; and a few more are requests for public institutional placement or requests by parents for home tutorial services. Several are also damage actions for the school's failure to provide outside placement in the past. Parents often request reimbursement for placement which the parents have made without the approval of the school.

The school system's defense is typically that it can provide the needed services for the child within the public schools, often in special classrooms. Several cases, however, are contests between a parent and the school over whether the school should pay for residential costs, as opposed to educational costs; and in some the question is whether the child is sufficiently educable so that education should be provided at all.

Although this category contains most of the cases involving special education outside the public school, cases in Category H7 frequently involve non-public school settings, as do some cases in Categories H3 and H9.

H2. Least Restrictive Alternative [66 cases]. Here the parents request mainstreaming or other less restrictive placement for the child, typically seeking a community setting for mentally retarded children, placement in regular classrooms as opposed to special education classes, or placement in the local public school rather than a special education facility. It is interesting to note that there are six or seven times as many cases where parents desire education outside the public schools as cases seeking a less restrictive alternative within the public schools.

H3. Placement (other) [27 cases]. This category contains placement issues that do not fall in other handicap categories, such as differences between parents and the school about which neighborhood school is best for the child. This category is also used when it is known that placement is involved, but not whether the parents seek placement in or out of the public school.

Table 1

Issue Categories

[The brackets contain the number of cases in which the issue arises]

H HANDICAP [769]
- H1 Placement outside public school [352]
- H2 Least restrictive alternative [66]
- H3 Placement (other) [27]
- H4 Classification [33]
- H5 Eligibility [27]
- H6 Better programs [146]
- H7 Length of school year [46]
- H8 Transportation [11]
- H9 Which government pays [33]
- H0 Other handicapped [36]
- P1 Due process procedures [112]
- P2 Discipline of handicapped child [67]

D DISCIPLINE [290]
- D1 Suspension or expulsion (nonprocedural issues) [77]
- D2 Grade reduction or removal from class [13]
- D3 Suspension from sports [29]
- D4 Corporal punishment [30]
- D5 Search and seizure [34]
- D6 Request that records be expunged [7]
- D7 Other discipline [9]
- D8 Procedure in suspension or expulsion [145]
- D9 Procedure in discipline (other) [25]

S REGULATION OF SPORTS [186]
- S1 Transfer rules [54]
- S2 Other eligibility rules [111]
- S3 Other sports [23]
- S4 Procedural issues [9]

E EQUAL PROTECTION [165]
- E1 School segregation [53]
- E2 Racial discrimination (other) [35]
- E3 Aliens [7]
- E4 Bilingual education [23]
- E5 Sex discrimination (other) [8]
- E6 Sex discrimination in sports [28]
- E7 School finance cases [12]
- E8 Other discrimination [4]

R RELIGION CASES [73]
- R1 Freedom of religion [22]
- R2 Establishment of religion [31]
- R3 Prayer cases [9]
- R4 Regulation of religious schools [10]
- R5 Religious schools in sports leagues [5]

F FREEDOM AND PRIVACY [65]
- F1 Freedom of speech or press [22]
- F2 School literature [13]
- F3 Dress and grooming [7]
- F4 Privacy of and access to records [11]
- F5 Inoculation issues [5]
- F6 Home study [7]

B BENEFITS AND SERVICES FROM SCHOOLS [121]
- B1 Residency [54]
- B2 School closings [22]
- B3 Transportation (other) [14]
- B4 Fees and tuitions [17]
- B5 Food programs [5]
- B6 Participation in ceremonies [9]

A ACADEMIC MATTERS [30]
- A1 Competency testing [15]
- A2 Education malpractice [10]
- A3 Right to diploma (other) [5]

O OTHER CASES
- O1 Student rights (other) [35]

TABLE 2 INCIDENCE OF ISSUES IN EACH STATE--ALABAMA TO KANSAS

Issue Number	ALA 1	AK 2	AZ 3	ARK 4	CAL 5	COL 6	CON 7	DEL 8	DC 9	FLA 10	GA 11	HI 12	IDA 13	ILL 14	IND 15	IA 16	KAN 17	Issue Number
H1	4	2	1	1	23	2	31	6	26	3	10	8	-	11	4	1	-	H1
H2	1	-	-	2	6	-	-	-	1	2	1	1	-	2	-	-	-	H2
H3	-	-	-	-	1	-	1	-	-	3	-	1	-	1	-	2	-	H3
H4	-	-	-	-	-	-	2	-	1	2	1	1	-	2	1	-	-	H4
H5	-	-	-	-	4	1	-	-	-	-	-	-	-	1	-	1	-	H5
H6	2	1	-	-	7	-	6	-	3	5	2	3	1	5	2	-	1	H6
H7	-	-	1	-	4	-	-	-	-	-	10	2	1	-	-	-	-	H7
H8	-	-	1	-	1	1	1	-	1	-	-	-	-	-	1	-	-	H8
H9	-	1	-	-	-	-	2	-	-	-	-	-	-	3	-	-	-	H9
H0	-	-	-	-	1	-	2	-	3	-	1	-	1	2	-	1	-	H0
P1	1	-	1	-	7	-	4	4	10	1	6	6	-	3	-	2	1	P1
P2	1	-	1	-	4	1	4	-	-	3	2	-	-	3	3	2	1	P2
D1	3	-	2	1	2	-	1	-	-	1	1	-	-	2	6	1	1	D1
D2	-	-	-	-	-	1	1	-	-	-	-	-	-	1	-	-	1	D2
D3	2	-	-	-	1	1	-	-	-	-	-	-	-	-	4	-	-	D3
D4	-	-	1	-	2	-	-	1	-	-	-	-	-	-	-	2	-	D4
D5	-	-	-	-	1	-	-	-	-	-	-	-	-	6	4	-	-	D5
D6	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	D6
D7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	D7
D8	3	-	3	6	9	3	-	-	-	7	1	-	1	12	5	3	1	D8
D9	1	-	2	-	1	-	-	-	-	-	-	-	-	-	3	1	-	D9
S1	-	-	-	2	3	-	-	1	-	1	1	-	2	3	2	-	2	S1
S2	-	-	-	1	2	2	1	-	1	4	6	-	3	5	4	-	2	S2
S3	1	1	-	1	-	-	1	-	-	-	-	-	-	2	3	-	-	S3
S4	-	-	-	-	-	-	1	-	-	1	1	-	-	-	-	-	-	S4
E1	-	-	1	1	6	-	-	-	-	1	-	-	-	11	3	1	-	E1
E2	2	-	-	3	3	-	-	-	-	5	2	-	-	1	1	1	-	E2
E3	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	E3
E4	-	2	-	-	6	1	-	-	-	-	-	-	1	1	-	-	1	E4
E5	-	-	-	-	1	-	-	-	-	1	1	-	-	-	-	-	-	E5
E6	-	-	1	2	2	-	-	-	-	-	-	-	-	3	1	-	-	E6
E7	-	1	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	E7
E8	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	E8
R1	-	-	-	-	2	2	1	-	-	-	-	-	-	-	-	1	-	R1
R2	-	-	-	-	1	-	1	-	-	-	-	-	1	-	-	-	-	R2
R3	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R3
R4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-	R4
R5	-	-	-	2	-	-	-	2	-	-	-	-	-	-	-	-	-	R5
F1	-	-	-	-	2	-	-	-	-	1	1	-	-	-	1	-	-	F1
F2	-	-	-	-	2	-	-	-	-	-	-	-	1	1	1	-	-	F2
F3	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	-	F3
F4	-	-	-	-	-	-	1	-	1	-	1	-	-	2	-	-	-	F4
F5	-	1	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	F5
F6	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	F6
B1	-	-	1	1	1	2	1	-	-	-	1	-	-	4	2	1	-	B1
B2	-	1	-	-	1	-	-	-	-	3	-	-	-	1	3	-	-	B2
B3	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	B3
B4	-	-	-	1	1	-	-	-	-	-	1	-	-	2	1	-	-	B4
B5	-	-	-	-	2	-	-	-	-	-	-	1	-	-	-	-	-	B5
B6	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	B6
A1	-	-	-	-	2	-	-	-	-	5	3	-	-	1	-	-	-	A1
A2	-	-	-	-	4	-	-	-	-	-	-	-	-	1	-	-	-	A2
A3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	A3
O1	-	2	-	-	3	-	-	-	1	-	2	-	-	1	-	-	-	O1

TABLE 2 INCIDENCE OF ISSUES IN EACH STATE--KENTUCKY TO NORTH CAROLINA

Issue Number	KY 18	LA 19	ME 20	MD 21	MAS 22	MIC 23	MIN 24	MIS 25	MO 26	MT 27	NEB 28	NEV 29	NH 30	NJ 31	NM 32	NY 33	NC 34	Issue Number
H1	-	1	5	13	72	2	2	-	4	1	5	1	2	2	-	26	5	H1
H2	1	1	1	2	5	2	1	-	6	3	2	-	1	-	-	4	1	H2
H3	1	-	-	-	1	3	-	-	-	-	-	-	-	-	-	6	-	H3
H4	-	-	-	3	3	3	-	-	-	-	-	-	-	-	1	5	-	H4
H5	-	1	1	1	5	-	-	-	-	-	2	1	-	-	-	2	-	H5
H6	1	1	1	1	18	8	5	-	4	4	3	-	-	-	1	14	2	H6
H7	-	2	2	-	-	2	-	2	2	-	3	1	1	-	-	1	1	H7
H8	-	-	-	-	1	-	-	-	1	-	-	-	-	-	-	2	-	H8
H9	-	-	-	1	11	-	-	-	-	-	-	-	2	-	-	7	-	H9
H0	1	-	1	-	6	1	-	-	-	-	2	-	-	-	1	5	-	H0
P1	-	4	2	2	12	2	2	-	4	-	3	-	1	-	-	12	1	P1
P2	2	-	1	3	3	2	3	-	2	-	1	-	2	1	1	3	-	P2
D1	1	1	2	3	3	3	-	3	3	-	4	-	-	-	1	3	1	D1
D2	-	-	-	-	-	2	2	-	-	-	-	-	-	1	-	2	-	D2
D3	-	-	-	-	-	2	-	1	-	-	3	2	-	-	1	1	1	D3
D4	1	5	-	-	1	-	-	-	-	1	-	-	-	-	1	2	-	D4
D5	-	-	2	1	-	3	-	-	-	-	-	-	-	2	1	2	1	D5
D6	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	D6
D7	-	-	-	-	2	2	-	-	-	-	-	-	1	-	-	1	-	D7
D8	4	3	3	3	2	4	2	4	5	-	3	1	1	4	1	8	4	D8
D9	-	-	-	-	-	1	-	1	-	1	1	1	-	-	1	1	1	D9
S1	1	1	-	-	-	1	-	1	2	-	-	5	-	-	-	-	-	S1
S2	2	2	1	-	4	3	-	4	1	1	3	-	-	-	-	8	-	S2
S3	-	-	-	-	1	1	-	4	-	-	-	-	-	-	-	1	-	S3
S4	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	S4
E1	-	1	-	-	1	1	-	-	1	-	-	-	-	1	-	4	3	E1
E2	1	-	-	-	3	1	-	2	1	-	-	-	-	1	1	-	2	E2
E3	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1	-	E3
E4	-	-	-	-	-	5	1	-	-	1	-	-	-	1	1	2	-	E4
E5	-	1	-	-	-	-	-	-	-	-	-	-	-	1	-	1	1	E5
E6	-	-	-	-	1	3	1	-	-	-	2	-	1	-	-	2	-	E6
E7	-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-	E7
E8	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	E8
R1	1	2	-	-	-	-	1	1	1	-	-	-	-	-	-	3	1	R1
R2	3	-	2	1	1	1	2	-	1	-	3	-	-	-	-	2	-	R2
R3	-	1	-	-	1	-	1	1	-	-	-	-	-	-	-	1	-	R3
R4	1	-	-	-	3	1	-	-	-	-	2	-	-	-	-	-	1	R4
R5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R5
F1	-	1	-	2	-	-	-	-	-	-	-	-	-	2	-	3	1	F1
F2	-	-	-	-	1	-	2	-	-	1	-	-	1	-	-	1	-	F2
F3	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	2	F3
F4	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	1	-	F4
F5	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	F5
F6	-	-	-	-	1	1	-	-	-	1	-	-	2	-	-	-	-	F6
B1	-	2	-	1	5	4	1	-	2	-	1	-	1	-	-	2	-	B1
B2	2	-	-	4	1	-	-	-	-	-	-	-	-	-	-	2	-	B2
B3	-	1	-	-	2	1	-	-	-	-	-	-	1	-	-	2	-	B3
B4	-	-	-	-	-	1	-	2	-	1	-	-	-	-	-	1	1	B4
B5	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	B5
B6	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2	B6
A1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	3	A1
A2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	4	-	A2
A3	-	-	-	-	1	-	-	-	1	-	-	-	-	-	-	2	-	A3
O1	1	-	-	-	-	4	-	-	2	-	-	-	-	4	-	-	-	O1

TABLE 2 INCIDENCE OF ISSUES IN EACH STATE--NORTH DAKOTA TO WYOMING

Issue Number	ND 35	OH 36	OK 37	OR 38	PA 39	RI 40	SC 41	SD 42	TEN 43	TX 44	UT 45	VT 46	VA 47	WAS 48	WV 49	WIS 50	WY 51	Issue Number
H1	-	1	2	5	8	5	8	-	10	14	2	1	14	3	-	4	-	H1
H2	-	1	1	1	2	1	-	-	-	6	1	3	2	1	1	-	-	H2
H3	-	-	-	-	1	-	-	-	1	-	-	-	3	-	1	1	-	H3
H4	-	2	-	1	2	-	-	-	-	1	-	-	1	1	-	-	-	H4
H5	-	3	2	-	-	2	-	-	-	-	-	-	-	-	-	-	-	H5
H6	2	4	6	1	3	-	-	-	1	7	1	1	9	5	1	3	1	H6
H7	2	1	1	2	1	-	1	-	1	-	1	-	1	-	-	-	-	H7
H8	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	H8
H9	-	-	-	-	1	3	-	-	-	-	1	1	-	-	-	-	-	H9
HO	-	2	2	2	1	-	1	-	-	-	-	-	-	-	-	1	-	HO
P1	-	1	-	-	3	1	1	-	2	5	2	1	3	-	-	1	1	P1
P2	-	-	1	-	2	2	4	-	1	4	-	1	3	-	-	-	-	P2
D1	-	5	-	1	7	1	-	-	3	6	-	-	1	-	1	5	1	D1
D2	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-	-	D2
D3	-	6	-	-	1	-	-	-	1	1	-	-	1	-	-	-	-	D3
D4	-	-	3	-	-	2	-	-	1	3	1	-	-	1	2	-	-	D4
D5	-	2	-	1	1	-	-	-	2	5	-	-	-	-	-	-	-	D5
D6	-	-	-	-	-	-	-	-	1	1	-	-	1	-	-	-	-	D6
D7	-	2	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	D7
D8	1	3	2	1	5	1	-	2	4	12	-	-	4	1	2	1	1	D8
D9	-	5	-	1	1	-	-	-	2	-	-	-	-	-	-	-	-	D9
S1	1	1	3	2	2	2	-	-	1	8	-	-	1	1	2	2	-	S1
S2	-	11	3	7	13	-	-	-	-	10	-	1	5	1	-	-	-	S2
S3	-	1	1	-	1	1	-	1	1	1	-	-	-	-	-	-	-	S3
S4	-	1	2	-	1	-	-	-	-	1	-	-	-	-	-	-	-	S4
E1	1	4	-	-	2	-	1	-	-	6	-	-	2	1	-	-	-	E1
E2	-	-	-	-	-	-	-	-	-	2	-	-	3	-	-	-	-	E2
E3	-	-	1	-	-	-	-	-	-	3	-	-	-	-	-	-	-	E3
E4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	E4
E5	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	E5
E6	-	2	2	-	1	1	-	-	-	2	-	-	-	1	-	-	-	E6
E7	-	-	2	-	1	-	-	1	-	-	-	-	-	-	-	1	1	E7
E8	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	E8
R1	-	1	-	2	-	-	-	-	-	-	-	-	2	-	-	-	1	R1
R2	1	-	1	-	1	2	-	2	1	2	1	-	-	-	-	1	-	R2
R3	-	-	1	-	-	-	-	-	-	2	-	-	-	-	-	-	-	R3
R4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R4
R5	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	R5
F1	-	1	-	2	-	2	-	-	-	-	-	-	2	-	-	-	1	F1
F2	-	-	-	1	-	-	-	-	-	-	-	1	-	-	-	-	-	F2
F3	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	F3
F4	-	-	-	-	1	-	-	-	-	1	-	-	1	-	-	-	-	F4
F5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	F5
F6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	F6
B1	-	3	3	1	-	-	1	3	-	6	-	-	-	1	-	3	-	B1
B2	-	-	-	-	1	-	-	2	1	-	-	-	-	-	-	-	-	B2
B3	-	1	-	-	2	-	1	-	-	-	-	-	-	-	1	1	-	B3
B4	1	2	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	B4
B5	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	B5
B6	-	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1	B6
A1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A1
A2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A2
A3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A3
01	-	2	-	-	4	-	1	-	4	1	-	-	1	1	-	-	-	01

H4. Classification [33 cases]. The primary issue in this category is the method or outcome of the classification process for handicapped children. A major area of dispute concerns the methods used for testing. (Competency testing of handicapped children is coded additionally as A1.)

H5. Eligibility [27 cases]. The issue here is whether handicapped students are outside the special education program because they are too young or too old or because they have received a diploma.

H6. Better Programs [146 cases]. Here parents seek better programs for handicapped children in the public schools, or they seek damages for the school's failure to provide adequate programs in the past. Typically, requests are for psychiatric services, catheterization, or better-trained special education teachers. Damage actions for lack of special education are included in this category unless brought specifically for failure to provide outside placement.

H7. Length of School Year [46 cases]. These cases contest the school's unwillingness to provide special education for more than the regular school year; the parents usually are requesting that private school placement be continued throughout the summer.

H8. Transportation for Handicapped Children [11 cases]. These cases are disputes about what transportation facilities the school district must provide for handicapped children. Cases are placed in this category only if transportation is the major issue; many parents seeking private placement, for example, also request transportation.

H9. Which Government Pays [33 cases]. In most of these cases the local and the state governments disagree about which should pay for residential services for handicapped children. A few cases are disputes between school districts over which should bear the costs of a student's special education.

H0. Other Handicapped [36 cases]. Most cases here are ones in which the only information obtained is that it is a special education case. The category also includes a few issues that do not fall within the above list of issue categories.

P1. Due Process Procedures [112 cases]. These issues concern the procedures required of school districts and the state education agencies in special education cases, other than discipline cases. Common examples are: whether the state education agency can review and change a hearing examiner's decision; who provides the transcript; whether the parents were given sufficient notice of a hearing; whether the school board must provide a due process hearing in a particular situation; and whether administrative remedies must be exhausted before filing in court. It also includes questions about the scope of review by the courts of agency decisions.

P2. Discipline of Handicapped Children [67 cases]. The issue in almost all of these cases is the procedure required to suspend or expel handicapped children--whether P.L. 94-142 procedures must be used instead of the school's regular disciplinary procedures.

Discipline

This section contains pupil discipline cases, except (1) cases where the claim is based on special education laws, which are in Category P2, and (2) cases where the disciplinary action is part of an alleged violation of students' rights enumerated in other issue categories (for example, a student suspended for criticizing teachers would be in Category F1, students' freedom of speech).

D1. Suspension or Expulsion (Nonprocedural Issues) [77 cases]. Here a suspension or expulsion is contested on other than procedural due process grounds. Examples are contentions that there is insufficient evidence of the alleged offense, that the punishment is too harsh for the offense, or that the school should not have a policy of automatic suspension for the offense involved.

D2. Grade Reduction or Removal from Class [13 cases]. In these cases students' grades were reduced or students were dropped from a class because they were absent or tardy too often.

D3. Suspension from Sports [29 cases]. In these cases the school has suspended the student from an extracurricular activity (nearly always sports) for disciplinary reasons. If the suspension is for eligibility (as opposed to disciplinary) reasons, the case falls in the sports regulation section, rather than Category D3.

D4. Corporal Punishment [30 cases]. Most of the cases here are damage suits against schools and teachers for injuries incurred in paddlings. A few are suits to enjoin schools from using corporal punishment or to establish procedures to be used before giving corporal punishment.

D5. Search and Seizure [34 cases]. The student in most of these cases contests a suspension that was based on evidence obtained during a search alleged to be illegal. Many cases are also damage actions. Most searches contested are strip searches or searches conducted on a blanket basis.

D6. Request that Records Be Expunged [7 cases]. Here a remedy sought is to remove a disciplinary action from the student's records.

D7. Other Discipline [9 cases]. This category contains a few discipline cases that do not fall within the specific categories in this section.

D8. Procedure in Suspension or Expulsion [145 cases]. These cases contest the procedures used by the school in suspending or expelling a child. The claims are based on federal due process guarantees or on state statutes and school rules that are stricter than the federal guidelines.

D9. Procedure in Discipline (Other) [25 cases]. These cases concern the proper procedure to be used in disciplinary actions when the discipline is not suspension or expulsion from school.

Regulation of Sports

The cases in this section involve rules regulating extracurricular activity; nearly all involve sports teams, although there are a few cases concerning debating teams, cheerleaders, or the like. The issues concern rules of state high school athletic associations, which are usually voluntary associations of high schools established to regulate interscholastic activities. This section does not include questions about religious school participation in sports leagues (Category R5), sexual discrimination in sports (Category E6), or suspension from sports for disciplinary reasons, including violation of training rules (Category D3). In all, there are 248 cases involving sports (or other extracurricular activities) in the catalog.

The plaintiffs generally allege that the association's rules were applied arbitrarily or that the student was not given a proper hearing before being ruled ineligible. In almost all the cases, speed is important; the lawyer typically asks the court for a temporary restraining order or preliminary injunction to permit the child to play in the game next scheduled. Most of these cases are won or lost within a few days or weeks.

S1. Transfer Rules [54 cases]. Here the athletic association has ruled the student ineligible for a specific period of time (usually 4 to 6 months) after transferring from one school to another. The transfer rules are designed to prevent recruiting.

S2. Other Eligibility Rules [111 cases]. Other common sports eligibility rules provide that the student: must be under a certain age, is only eligible for a certain number of semesters in high school, cannot participate in non-school athletic events, and must participate in a certain number of meets during the school year before entering post-season tournaments.

S3. Other Sports [23 cases]. Most of these cases are disputes over whether a team can enter a state tournament.

S4. Procedural Issues [9 cases]. These cases question the procedure used by the school or, more frequently, by the athletic association, when ruling on student eligibility for sports. The issue is usually whether a hearing is required. Procedural issues are probably involved in many more sports cases than designated in the catalog, because attorneys often mentioned only the substantive issue, leaving out procedural attacks.

Equal Protection

The cases in this section contain equal protection issues in which plaintiffs allege discrimination by reason of race, sex, culture, language, or financial resources. This section does not include equal protection issues arising in special education litigation or cases where an equal protection claim is not the major claim.

E1. School Segregation [53 cases]. These are the typical desegregation suits, claiming that schools, or classes within schools, are segregated according to race or culture.

E2. Racial Discrimination (other) [35 cases]. In these cases the plaintiffs allege racial or cultural discrimination, other than general school segregation. The most common example is discrimination in disciplinary procedures.

E3. Aliens [7 cases]. Here plaintiffs sue for the admission of alien children into public schools without the tuition charge levied on students living out of the district.

E4. Bilingual Education [23 cases]. Here students allege discrimination against non-English-speaking students.

E5. Sex Discrimination (other) [8 cases]. This contains the sex discrimination cases not involving sports.

E6. Sex Discrimination--Sports [28 cases]. In most of these cases, girls desire to play on boys' teams, but in several cases boys sue to play on girls' teams.

E7. School Finance Cases [12 cases]. The plaintiffs here claim that students in less well-financed school systems are denied equal protection and, typically, are not given the adequate education required by the state constitution and statutes.

E8. Other Discrimination [4 cases]. These are miscellaneous discrimination cases; most involve migrants.

Religion Cases

These cases contain issues based on the First Amendment (or on state constitutional or statutory provisions) concerning either freedom or establishment of religion.

R1. Freedom of Religion [22 cases]. This category contains all freedom of religion issues not otherwise categorized in this section.

R2. Establishment of Religion [31 cases]. This contains all establishment of religion issues not in more specific categories. Examples are Bible distribution in schools by religious societies, religious symbolism in ceremonies, and transportation to religious schools.

R3. Prayer Cases [9 cases]. In most of these cases, students contest school prayers or Bible reading, though they occasionally sue for permission to say prayers in school.

R4. Regulation of Religious Schools [10 cases]. These cases involve state and local regulation of religious schools, typically in the areas of curriculum content, teacher certification, competency testing, and reporting of pupil attendance in accordance with compulsory education laws.

R5. Religious Schools in Sports Leagues [5 cases]. Here religious schools sue to enter the public school sports league, claiming violation of religious freedom by excluding them from the league.

B4. Fees and Tuition [17 cases]. Here students contest fees or tuition charged by public schools; the claims are almost always based on state statutes and constitutions calling for free public education. This category does not contain special education cases.

B5. Food Programs [5 cases]. These are typically actions to force schools to provide free meals under federal programs.

B6. Participation in Ceremonies [9 cases]. In almost all of these cases the student is contesting the school's refusal to permit participation in a graduation ceremony.

Academic Matters

A1. Competency Testing [15 cases]. These are disputes about the use of the competency tests that some states require for students to receive promotions or high school diplomas. Plaintiffs often allege discrimination against handicapped children, blacks, or other groups. Another common complaint is insufficient notice of testing, preventing students from properly preparing for the tests.

A2. Education Malpractice [10 cases]. These are tort actions against school authorities for not educating students; they are based on common law, state statutory or constitutional rights to education, or on special education laws. Damage suits under the special education laws, however, are not categorized as education malpractice cases unless considered as such by counsel.

A3. Right to a Diploma (other) [5 cases]. Examples are suits to obtain a diploma after only three years of high school and disputes over the number of credits needed to graduate. This category does not include competency testing issues (category A1) or discipline issues (e.g., categories D2 and D8).

Other Cases

O1. Student Rights (other) [35 cases]. This covers miscellaneous cases that do not fall in the preceding categories. Examples are cases contesting the use of undercover police, suits for inadequate funding of a particular school (as opposed to general school finance cases in category E7), actions contesting required participation in sex education programs, and suits involving gifted and talented programs. No single issue in this category appears more than three times in the catalog.

5. PRELIMINARY ANALYSIS OF THE CASES

A considerable body of data about the cases has been entered in a computer for analysis, and the purpose of this section is to present some preliminary findings. As mentioned earlier, a second report will provide a

Freedom and Privacy

F1. Freedom of Speech and Press [22 cases]. About half of these are freedom-of-speech cases and about half are freedom-of-the-press cases. Most also contest suspension or other discipline, but are placed in this category rather than the section on discipline.

F2. School Literature [13 cases]. Cases in this category are disputes about the literature in school libraries or in course curriculums. Most are suits by parents contesting the removal of publications from the school library.

F3. Dress and Grooming [7 cases]. These cases contest school policies concerning hair length, school attire, and similar matters.

F4. Privacy of and Access to Records [11 cases]. These are the few cases concerning access to student records. The category includes both suits involving the confidentiality of records and suits by students for access to their own records.

F5. Inoculation Issues [5 cases]. These are disputes about inoculation of students, excluding cases where objection to inoculation is on religious grounds (Category R1).

F6. Home Study [7 cases]. This category contains civil cases concerning educating children at home. It does not include handicap cases or truancy prosecutions.

Benefits and Services from Schools

B1. Residency [54 cases]. These are disputes about which public school a student can attend at public expense. The issues are virtually always whether the student is a resident of the school district or whether the residency requirements should be waived. This category does not include the alien cases in Category E3 above. A few involve handicapped children, usually falling in Category H9 as well. The residency cases were particularly hard to find, and may be substantially under-represented in our search.

B2. School Closings [22 cases]. Almost all of these suits contest the procedures used by the school board when closing a school, especially questioning whether the school board allowed sufficient public participation in the decision. This category does not include school closings when the major issue is school desegregation (see Category E1).

B3. Transportation (other) [14 cases]. These are transportation issues not in Categories H8, E1, or R2. A few cases are about transportation to private schools, but cases are coded as category R2 whenever there is a First Amendment issue. Other cases are brought by individual parents requesting better transportation service to the public schools. Cases in this category generally have only state law issues.

Table 3
Number of Cases and of Major Types in Each State

		TOTAL Cases in Catalog	Cases Per 100,000 Students	Handicap Cases		Discipline Cases	Sports Cases
				Number	Percent		
01	Alabama	13	2	7	54	5	1
02	Alaska	11	12	3	27	-	1
03	Arizona	13	3	4	31	5	-
04	Arkansas	23	5	3	13	6	4
05	California	98	2	47	48	15	5
06	Colorado	16	3	4	24	5	2
07	Connecticut	53	9	44	83	1	2
08	Delaware	11	10	7	64	1	1
09	Dist. of Col.	41	36	38	93	-	1
10	Florida	40	3	14	35	8	5
11	Georgia	38	3	21	55	2	7
12	Hawaii	17	10	14	82	-	-
13	Idaho	12	6	3	25	1	5
14	Illinois	77	4	29	38	14	10
15	Indiana	48	4	11	22	16	9
16	Iowa	14	2	8	57	5	-
17	Kansas	9	2	3	33	2	4
18	Kentucky	20	3	5	25	6	3
19	Louisiana	24	3	7	29	9	3
20	Maine	18	8	10	56	5	1
21	Maryland	39	5	23	59	4	-
22	Massachusetts	145	13	113	78	7	5
23	Michigan	59	3	20	34	15	5
24	Minnesota	21	3	9	43	4	-
25	Mississippi	25	5	2	8	8	9
26	Missouri	33	4	16	47	7	3
27	Montana	12	7	6	50	1	1
28	Nebraska	31	10	14	45	7	3
29	Nevada	11	8	3	27	3	5
30	New Hampshire	14	8	6	43	2	-
31	New Jersey	18	1	3	17	6	-
32	New Mexico	6	2	2	33	3	-
33	New York	123	4	69	54	16	9
34	North Carolina	24	2	8	33	5	-
35	North Dakota	9	7	4	44	1	1
36	Ohio	56	3	11	20	17	13
37	Oklahoma	33	6	15	45	3	8
38	Oregon	23	5	10	42	3	9
39	Pennsylvania	62	3	22	16	12	16
40	Rhode Island	23	14	12	52	4	1
41	South Carolina	19	3	14	74	-	-
42	South Dakota	11	8	-	-	2	1
43	Tennessee	27	3	13	46	7	2
44	Texas	85	3	28	33	24	18
45	Utah	8	2	5	63	1	-
46	Vermont	9	9	7	78	-	1
47	Virginia	54	5	31	57	8	6
48	Washington	15	2	8	50	2	2
49	West Virginia	9	2	2	22	4	2
50	Wisconsin	24	3	9	38	6	2
51	Wyoming	8	9	2	25	2	-
	TOTAL	1,632	4	769	47%	290	186

more complete analysis, especially with respect to the attorneys' reasons for choice of forum. (There are 1,632 cases in the catalog and on the computer. But, ten cases were added to Wisconsin after the data was entered into the computer, and ten cases on the computer are not in the catalog for various reasons, usually because we did have the name of the case.)

Types of Cases. Statistics about the types of cases can be found in Tables 1, 2, and 3. Table 2 (at pages 8 to 10) gives the number of cases in each issue category in each state, and this information is condensed in the other two tables. Table 1 (at page 7) gives the total number of cases in each issue category, and Table 3 (at page 17) gives the total number of cases in each state, along with the number of major case types. The placement of cases in the major categories (e.g., handicap cases or discipline cases) is probably very accurate, but the placement into subtypes, especially for handicap cases, is occasionally incorrect because we did not receive enough information from the lawyers.

Litigation about handicapped students predominates, comprising almost half the cases in the catalog, far above the other major types (discipline with 18 percent, sports regulation with 11 percent, and equal protection with 10 percent). Handicap cases were easier to locate than others; the discipline cases were difficult to track down in many states (see pages 26 to 28). Hence, these three tables, while representing the distribution in the catalog, do not present a totally accurate view of the proportions of the various types of cases nationwide. A rough estimate is that 35 to 40 percent of the education cases involving students filed after 1976 are handicap cases, and a quarter or so are discipline cases. Sports regulation cases and equal protection cases each comprise some 10 percent, and a fourth or a fifth are other students' rights cases. These numbers, it must be stressed, are only rough estimates.

The numbers and types of cases differ widely from state to state. States with large populations, of course, tend to have far more cases than the smaller states, but in general the small states have more cases per student, probably because they have less-developed administrative tribunals to handle student litigation. (The number of cases per 100,000 students in Table 3 was computed by using the number of elementary and secondary school students in 1979, according to Table 247 in the Statistical Abstract of the United States 1980.)

Otherwise, there seems to be little pattern that may help explain the widely varying numbers of cases, and cases per student, shown in Table 3. The only noteworthy regional factor is that the New England states have unusually large numbers of cases per student. The states with many cases tend to be those with very large numbers of handicap cases, especially Massachusetts and the District of Columbia. The state with the fewest cases per student, New Jersey, has a comprehensive administrative appeals procedure for education cases, so that most litigation ends before reaching the courts. The relatively small numbers of cases in California and Kansas, it should be noted, are probably due in part to comparatively incomplete information obtained there, as explained later. As a practical matter, litigation in New York and perhaps a few other states is much greater than suggested by Table 3 because the state court cases there are usually not filed in court until ready to go to trial, whereas in most jurisdictions cases are filed when the complaint is served.

The differences among states in total cases are at least equalled by differences in the types of cases. Noteworthy again, are the few states with very large numbers of handicap cases, considering the size of the states. Besides the District of Columbia and Massachusetts, these include Connecticut, Delaware, Hawaii, Maryland, Nebraska, Vermont, and Virginia. The discipline and sports cases are also quite unevenly distributed. Indiana, Louisiana, Mississippi, and Texas stand out as states where discipline problems seem likely to reach the courts. The sports regulation cases are particularly numerous in Idaho, Indiana, Mississippi, Nevada, Ohio, Pennsylvania, and Texas. A few other states might rank high in sports litigation, but, as indicated in Table 8, at page 27, the information obtained was incomplete.

Status of Cases. Half of the cases in the catalog have been decided by the courts; and most of the remaining cases are pending without decision (see Table 4). The relatively high percentage of cases decided, and the low percentage of cases settled or withdrawn, is partly due to the fact that temporary restraining orders and preliminary injunctions were counted as decisions for plaintiffs (unless later withdrawn by the court), because attorneys generally considered them the major ruling in the case. This is exemplified by the numerous sports cases where students wished to play on the school team during the next few weeks but where a trial was not possible until after the season. More non-handicap cases than handicap cases are shown as decided, mainly because most of the latter are comparatively recent filings (see Table 6, page 22). Education cases, with a high decision rate and a low settlement rate, are a noteworthy exception to the 90 percent settlement rate that is widely believed to obtain in ordinary civil litigation.

Table 4

Status of Cases
(1,594 cases where the status is known)

Status	All cases		Handicap cases		Non-handicap cases	
	Percent	(No.)	Percent	(No.)	Percent	(No.)
Pending	30	(487)	44	(328)	19	(159)
Settled or withdrawn	20	(320)	23	(168)	18	(152)
Trial court decision (including TROs and preliminary injunctions)	38	(608)	29	(216)	46	(392)
Appellate court decision	12	(190)	5	(39)	18	(151)
Totals*	100	(1,594)	100	(747)	101	(847)

*Rounding off of percentages results in variations of percentage totals. Coding errors account for discrepancies in number totals, but do not affect the percentages.

Table 5

Types of Plaintiff Attorney

(1,596 cases with attorneys for which information is available)

Type of Attorney	All cases		Handicap cases		Non-handicap cases	
	Percent	(No.)	Percent	(No.)	Percent	(No.)
1. Private practitioner	63	(1,013)	64	(482)	63	(531)
2. Attorney employed by local, state, or federal government	4	(57)	4	(30)	4	(27)
3. Attorney affiliated with a non-profit organization	33	(526)	32	(246)	33	(280)
3.a. Legal service	19	(297)	19	(144)	18	(153)
3.b. Protection & Advocacy	3	(52)	7	(52)	0	(0)
3.c. Civil Liberties	6	(94)	1	(6)	11	(88)
3.d. Other non-profit	5	(84)	6	(45)	5	(39)
Totals*	100	(1,596)	100	(758)	99	(838)

*Rounding off of percentages results in variations of percentage totals. Coding errors account for discrepancies in number totals, but do not effect percentages.

Plaintiffs won slightly more often than defendants in the trial courts, but the defendants won almost twice as often at the appellate stage. Plaintiffs in handicap cases were slightly less likely to win than plaintiffs in other cases.

The Plaintiff. The student or parent (or an organization representing the interests of the student or parent) is the plaintiff in 86 percent of the cases (82 percent of the handicap cases and 89 percent of the others). A school or state education agency is the plaintiff (and the student/parents the defendant) in 12 percent of the cases. In the remaining cases, a little over two percent, the plaintiff could not be classified as either student/parent or school/state.

The number of plaintiffs in each case is usually small. Three-fourths of the cases have a single plaintiff (a parent or guardian is not counted as a separate plaintiff), and another 12 percent have only two or three plaintiffs. Only about 5 percent have more than ten children as named plaintiffs, and only about 18 percent of the cases were filed as class actions. Handicap cases tended to have fewer plaintiffs than other cases: 83 percent had a single plaintiff, as opposed to 69 percent for other cases, but there were as many class actions in handicap cases as in other cases. When the attorneys were asked whether they filed primarily to create precedent or primarily to obtain a remedy for the plaintiffs, about 70 percent said primarily for the plaintiffs, and 30 percent gave precedent as a primary goal. There was virtually no difference between handicap and non-handicap cases as to the purpose of filing.

Review of Agency Decisions. About a third of the cases are appeals from decisions of state-level administrative tribunals (we have data for 87 percent of the cases). Because P.L. 94-142 requires plaintiffs to exhaust administrative remedies (20 U.S.C. 1415), it would be expected that most of the handicap cases would be appeals from agency decisions. This requirement, however, is frequently disregarded; only 58 percent of the handicap cases are appeals from state-level agency decisions. Such appeals constitute 12 percent of the non-handicap cases.

Types of Plaintiff Attorneys. Table 5 shows that private practitioners represented plaintiffs in 63 percent of the cases. In nearly all the remaining cases, the plaintiffs' attorneys worked for nonprofit organizations; the largest subcategory, legal service lawyers, handled 19 percent of the cases. Civil liberties lawyers, who represented plaintiffs in 6 percent of the cases, are generally private practitioners also, but are not counted here as such because they worked as volunteers for the Civil Liberties Union. The types of plaintiffs' attorneys in handicap cases are very much like attorneys in the other cases except that, as might be expected, handicap cases have fewer Civil Liberties Union lawyers and more lawyers from protection and advocacy agencies. Plaintiffs in only one percent of the cases were not represented by lawyers.

When Filed. Tables 6 and 7 (pages 22, 23) show the year of filing for the cases located. Considerably more were filed in 1980 than in other years, and the numbers are progressively less in prior years. This is partly due to the search strategy; we made a greater effort to find the later cases, and lawyers probably remembered recent cases better than earlier ones. Table 7 indicates that the trend toward more cases in later years was much stronger in some states than others. (Incomplete information probably accounts for the relatively few 1977 and 1978 cases shown for California, Kansas, Ohio, Oregon, Rhode Island, and South Carolina.) Another reason for the increased number of cases in the later years is the onslaught of litigation following P.L. 94-142, which gave rise to causes of action in federal courts starting in October 1977.

Table 6

Years When Cases Were Filed
(1,609 cases where year of filing is known)

Year filed	All cases		Handicap cases		Non-handicap cases	
	Number	Percent	Number	Percent	Number	Percent
1977	217	13	65	9	152	18
1978	315	20	144	19	171	20
1979	371	23	199	26	172	20
1980	527	33	256	34	271	32
1981 (partial)	179	11	92	12	87	10
Totals	1,609	100	756	100	853	100

The number of cases given for 1981 is incomplete. The search ended in early June 1981, and most of the telephone calls to attorneys took place months earlier. The proportion of 1981 cases differs from state to state because the search was completed in some states sooner than in others. The search ended early in 1981 for Connecticut, Minnesota, New Jersey, New York, North Carolina, and Wisconsin.

Federal or State Court. Almost half (45 percent) of the cases were filed in the federal courts. Plaintiff's attorneys in handicap cases selected the federal court 56 percent of the time, while 36 percent of the non-handicap cases went there. One reason for this difference is that federal law issues are more common in handicap cases; but there are many other important factors influencing the choice between the federal and state courts, such as the perceived attitudes of the different judges, the differences in the amount of delay, and the relative convenience of the location of the courts. This topic will be given extensive treatment in a later report.

Table 7

Year of Filing by State
(1,609 cases for which the year of filing is known)

	State	1977	1978	1979	1980	1981
01	Alabama	1	-	6	2	4
02	Alaska	3	4	2	2	-
03	Arizona	-	7	-	2	4
04	Arkansas	5	2	6	7	3
05	California	8	14	18	31	26
06	Colorado	5	3	3	6	-
07	Connecticut	7	11	6	25	4
08	Delaware	1	3	4	3	-
09	District of Columbia	1	2	12	15	7
10	Florida	5	12	8	10	4
11	Georgia	4	10	12	11	1
12	Hawaii	-	2	6	9	-
13	Idaho	3	2	3	4	-
14	Illinois	16	18	14	21	6
15	Indiana	6	7	12	17	7
16	Iowa	1	3	5	4	1
17	Kansas	-	-	-	7	2
18	Kentucky	-	4	3	11	2
19	Louisiana	4	3	6	9	1
20	Maine	2	3	6	6	1
21	Maryland	5	6	11	10	7
22	Massachusetts	28	32	29	32	22
23	Michigan	6	13	17	20	2
24	Minnesota	5	6	7	3	-
25	Mississippi	7	1	7	7	1
26	Missouri	7	6	6	10	5
27	Montana	-	7	3	-	2
28	Nebraska	4	7	4	11	3
29	Nevada	2	-	3	4	2
30	New Hampshire	2	3	3	5	1
31	New Jersey	4	2	2	7	2
32	New Mexico	1	-	3	1	1
33	New York	15	28	39	35	6
34	North Carolina	3	7	4	9	1
35	North Dakota	3	-	5	1	-
36	Ohio	4	11	6	27	6
37	Oklahoma	7	7	1	11	7
38	Oregon	1	4	8	7	3
39	Pennsylvania	11	17	13	22	-
40	Rhode Island	2	3	7	10	1
41	South Carolina	1	1	6	8	3
42	South Dakota	1	2	2	5	1
43	Tennessee	2	6	6	10	4
44	Texas	9	15	16	34	12
45	Utah	1	1	2	3	1
46	Vermont	1	2	3	1	2
47	Virginia	7	7	14	17	8
48	Washington	1	4	5	4	2
49	West Virginia	2	2	2	3	-
50	Wisconsin	1	3	3	7	-
51	Wyoming	2	2	2	1	1

6. CASE SEARCH PROCEDURES

The case search procedure involved as many sources of information as possible. In all, the most productive technique was "snowballing"-- that is, asking people likely to be familiar with education cases in a state to tell us about such cases and to suggest others whom we might contact, then asking the others for additional cases and names, and so on. The search strategy contained several steps, listed below.

Initial Search. The first task was to telephone national and regional organizations that deal with education law issues. We contacted over 50 such organizations, including education law reporting services, national associations of local education agencies, and organizations advancing the rights of blacks, Chicanos, women, children, the handicapped, and other special groups. The purpose initially was to obtain advice and information about how to organize the search for cases. We also gathered lists of education law attorneys, and we were given the names of a few cases, although most national-level organizations have very little information about individual cases. A major exception is the Center for Law and Education, in Cambridge, Massachusetts, which advises legal service organizations on education law matters. We searched its files and obtained complaints and other papers from more than a hundred cases.

Search Plan for Each State--Snowballing. The search plan for locating cases relied, in the first instance, on contacting knowledgeable lawyers about their cases, requesting leads to other cases, and seeking names of other lawyers likely to have education cases. To start the "snowballing" chain in each state we telephoned the following:

1. Counsel for the state education agency and the state board of education (generally lawyers in the state attorney general's office assigned to handle education cases).

2. The persons responsible for operating the administrative appeal process in special education cases and, if applicable, other types of student cases; also, generally, the state's special education director.

3. Counsel for the state association of school boards (or the director, if the association did not have legal counsel).

4. Counsel for local school boards in the largest city in the state and in all cities larger than 100,000 population (and, of course, any other school board attorneys referred to during the search process.)

5. Local civil rights groups--especially protection and advocacy agencies, youth rights advocates, the American Civil Liberties Union branches, and the Lawyers Committee for Civil Rights Under the Law.

6. Directors or education law specialists of legal service organizations in the largest city in the state and in all cities over 100,000 population; also, the central legal service office for the state, or for large regions of the state, where those offices existed.

7. The director of the state athletic association and, in most states, the counsel for the association.

8. Miscellaneous sources: attorneys who had written recent law review articles on education law, attorneys mentioned in newspaper articles as being involved in education litigation, and other attorneys mentioned in the literature who might be knowledgeable about education litigation.

Each person called was asked to give information about "education cases involving students" and about other lawyers to contact. The first task of the snowballing search was to obtain cases from defense lawyers, either over the phone or, especially when they had many cases, by requesting a written list. The great majority were helpful, giving us information about their cases and the name and telephone number of the plaintiff's attorneys and referring us to other relevant cases and other attorneys in the education field. We received the same kind of help from almost all the plaintiffs' attorneys. Legal service lawyers and other non-profit groups were particularly interested and cooperative. Some attorneys, however, were understandably unwilling to take the time to review their files for cases they no longer remembered. We kept extensive records of the snowballing process, and it was deemed to be complete when almost every case or person mentioned had been referred to earlier.

Published Sources. A further source of cases was found in references in published materials, although only a small percent of the cases in the catalog have been published. The foremost published source, of course, consisted of reported opinions, found through ordinary legal research. Next we used several dozen books and reporting services containing references to published and unpublished education cases. These sources are listed on page 29. Some were used near the end of the search, as discussed later, to enable us to estimate the thoroughness of our search. Infrequent but helpful sources of information were statewide digests of education cases prepared by school board attorneys or by the state education department. Extensive lists exist in Illinois, New Jersey, New York, Ohio, and Pennsylvania.

Newspaper clippings were a further source of published information about education cases. We subscribed to a newsclipping service from October 1980 through April 1981 and received information on almost ninety cases falling within the scope of this study. A half-dozen well-known cases, such as the Baton Rouge and Los Angeles desegregation cases, accounted for the vast majority of the clippings received.

Detailed Case Information. We relied on telephone interviews with plaintiffs' attorneys for most of the information in the catalog; in roughly half of the cases we also have information from school board attorneys, from complaints or other pleadings in the case, or from published accounts of the case. Telephone calls to plaintiffs' attorneys were quite short; they usually lasted five to ten minutes per case, and few attorneys had more than two cases. Less than one percent declined to provide information about their cases.

Circulating Draft Catalogs. A preliminary state catalog of cases was circulated to attorneys in each state. We sent copies to all plaintiffs' attorneys with cases in the catalog, to other attorneys contacted who had a substantial education law practice, and to all others who asked for copies. We requested that they respond if they wanted the final version of the catalog and we asked for corrections and additions. A number sent in corrections, but only a few mentioned new cases falling within the scope of our survey.

7. ESTIMATES OF COMPLETENESS

Although we have tried to be as thorough as possible, our results are far from complete. Table 8 (page 27) shows categories of cases where we believe our information is particularly incomplete. Also, several states are especially incomplete for specific years, as discussed above on pages 21 and 22.

Our ability to locate cases of a particular type depended primarily on the concentration of defense attorneys for that type of case. For example, sports eligibility cases were relatively easy to find since, in almost all states, they are defended by a single attorney representing the athletic association. In special education cases, a state agency is usually made a party defendant, so attorneys in the attorney general's office or in the department of education defend these cases on behalf of the state. We were able, therefore, to locate these cases easily if, as usually happened, these defense attorneys helped us. Most of the other types of cases, especially discipline cases, are widely scattered, and were located by calling local sources, particularly school board counsel and legal service attorneys. Here our search was more hit or miss.

Another factor, of course, is the publicity given cases. Attorneys are more likely to know about interesting or important civil liberties litigation, such as desegregation cases, bilingual education cases, and disputes about school newspapers, than about the mundane discipline actions for marijuana possession or disputes as to whether the student is a resident of the school district.

In order to obtain more definite, but still far from exact, information about the completeness of our search, several published sources were not consulted until after the snowballing was almost completed. The cases from these publications are predominantly pending cases or cases decided

Table 8

Areas Where Information is Particularly Incomplete

State	Appeals from State Agencies	Sports	Appeals from School Boards
Alabama			X
Arizona		X	
Arkansas	X		
California	X	X	
Colorado			X
Florida		X	
Idaho			X
Illinois			X
Indiana	X		
Iowa			X
Kansas	X		X
Louisiana		X	
Maryland	X		
Massachusetts		X	
Michigan		X	
Minnesota	X	X	
New Hampshire			X
New York			X
Oregon	X		
Pennsylvania	X		
Rhode Island		X	

without published opinion. The results of the comparison between our search and these publications varied greatly from source to source, but all together they suggest that, in the end, we have located about 60 and 70 percent of the cases, with a higher percentage of the handicap cases. The results from the various sources were as follows.

Snowballing had uncovered 84 percent of the cases in The P.L. 94-142 Case Reporter; the latest edition of the Reporter contained 76 cases relevant to our study, and almost all of the 12 cases we had not located were early cases filed before 1979. Another indication of the greater difficulty in finding earlier cases is that we had found only 58 percent of the 26 applicable cases shown in Education of the Handicapped Litigation Brought Under P.L. 94-142 and Section 504, which was published in September 1978.

As for the sports cases, we had initially found only a quarter of the one hundred relevant cases in the Mutual Legal Aid Pact Summary of Cases and the Legal Letter, but we had not yet called the prime source of information about sports cases, counsel for the various state high school athletic associations. Since the snowballing was supplemented by all these sources, we have probably found the great majority of sports cases. The exceptions are noted in Table 8.

Checking our initial results against newspaper clippings compiled by a clipping service from October 1980 through April 1981 showed that we had found only 34 of the 88 cases that fell within the scope of our survey. We had most of the handicap cases, but less than a third of the discipline cases and less than a tenth of the sports cases reported. The newspaper cases were, however, quite recent; many of them were filed after we had called the lawyers in their locality, and others were so new that word about them had not spread through the legal community.

The final comparison was made with the Clearinghouse Review, which contains legal service cases. We had located 79 percent of the 127 cases falling within the scope of the catalog in the May 1977 to April 1981 issues. This, however, overstates the completeness of the search because we had obtained several of the cases from the files of the Center for Law and Education, which advises legal service organizations and presumably informs the Review of recent developments.

We, of course, included the cases found from these publications, and asked the attorneys for information about other cases. This additional search, therefore, increases the degree of completeness beyond that suggested by the percentages given in the above comparisons.

We estimate that the catalog is approximately 60 to 70 percent complete. We base this estimate on the comparisons with published materials mentioned above, on known gaps in our snowballing search (see Tables 7 and 8), and on guesses about what types of cases are not likely to be widely known. We estimate that the catalog is about 80 percent complete for handicap cases; about two-thirds complete for most other types of cases, including sports, religion, and civil rights cases; but 50 percent or less complete for discipline cases and cases relating to residency requirements for school attendance.

LIST OF PUBLISHED SOURCES OF INFORMATION ABOUT EDUCATION CASES INVOLVING STUDENTS

The Advocate, Christian Legal Society, Oak Park, Ill.

Clearinghouse Review, Legal Services Corporation, Chicago, Ill.

Compendium of Court Decisions on Special Education, College of Education, Northern Illinois University (John M. Nagle, Ed.)

Education Law Bulletin, Center for Law and Education, Inc., Cambridge, Mass.

Education for the Handicapped Law Report, CRR Publishing Co., Washington, D.C.

Education of the Handicapped Litigation Brought Under P.L. 94-142 and Section 504, Institute for Educational Leadership, The George Washington University, Washington, D.C., Sept. 1978 (Sharon A. Kowal, Ed.)

Human Rights Dockets, Meiklejohn Civil Liberties Institute, Berkeley, Calif., 1979.

In the Running, Womens Equity Action League Educational and Legal Defense Fund, Washington, D.C.

Journal of Law and Education, Institute of Law and Education, Columbia, S.C.

Legal Letter, The Ruedlinger Companies, Kansas City, Mo.

Mental Disabilities Law Reporter, American Bar Association Commission on Mentally Disabled, Washington, D.C.

Mutual Legal Aid Pact Summary of Cases, National Federation of State High School Associations, Kansas City, Mo.

NASBE Legal Notes, National Association of State Boards of Education, Washington, D.C.

Newsnotes, Center for Law and Education, Cambridge, Mass.

NOLPE Notes, National Organization on Legal Problems of Education, Topaka, Kan.

NOLPE School Law Journal, National Organization on Legal Problems of Education, Topaka, Kan.

NOLPE School Law Reporter, National Organization on Legal Problems of Education, Topaka, Kan.

The P.L. 94-142 Case Reporter, Developmental Disabilities Law Project, University of Maryland Law School, Baltimore, Md.

Protection and Advocacy News, Developmental Disabilities Law Project, Baltimore, Md., April 1981 (Patrick Spicer, Ed.).

School Law Bulletin, Institute of Government, The University of North Carolina at Chapel Hill, N.C.

School Law News, Capitol Publications, Washington, D.C.

The School Law Newsletter, Oxford, Ohio

The School Student and the Courts, School Administration Publications, Asheville, N.C.

The Schools and the Courts, School Administration Publication, Asheville, N.C.

Update on State-wide School Finance Cases, Lawyers' Committee for Civil Rights Under the Law, Washington, D.C., April 1980

ALABAMA

[D3 D9] Burton v. Talladega Bd. of Ed. U.S. Dist. Ct. N.D. Feb. 1981. Suit for damages and injunction for disciplinary exclusion from extracurricular activity (national honor society) on the grounds that the school violated the student's due process rights. Edward Still, Suite 400, Commerce Center, 2027 First Avenue, N., Birmingham 35203, 205-322-6631.

[H1] J.C. v. Dallas Co. School Bd. U.S. Dist. Ct. S.D. May 1980. Class action. Settled. Sp. Ed. Suit for tutorial services for handicapped children and private placement. J.L. Chestnut, P.O. Box 1305, Selma 36701, 205-875-9264.

[H2] Campbell v. Talladega Co. U.S. Dist. Ct. Feb. 1979. Decision Mar. 1981, P. Sp. Ed. Suit to obtain admission to public schools and mainstreaming for a student considered severely handicapped by the schools, and to establish a proper IEP. Patricia Ivie, Legal Services Corporation of Alabama, 207 Montgomery Street, Montgomery 36104, 205-832-4570.

[S3] Dollins v. Crew. U.S. Dist. Ct. N.D. 1977. Decision, D. CCA 5. Decision, D. Suit challenging procedures for selecting cheerleaders, whereby two negative votes prevent a girl from becoming a cheerleader. Edward Still, Suite 400, Commerce Center, 2027 First Avenue, N., Birmingham 35203, 205-322-6631.

[H1] Joycette G. v. Alabama Dept. of Ed. U.S. Dist. Ct. M.D. Feb. 1981. Class action. Preliminary injunction denied Mar. 1981. Sp. Ed. Suit for residential placement. Steve Ellman and Ira Burnin, Southern Poverty Law Center, P.O. Box 548, Montgomery 36092, 205-264-0286.

[D1 D8] In re: Michael G. Juvenile Ct. Etowah Co. 1979. Settled. Students contest expulsion, claiming lack of due process and lack of evidence of any violation of a code. Sue Thompson, Legal Services Corporation of Alabama, 802 Chestnut Street, Gadsden 35901, 205-543-2435.

[H1] Johnson v. Covington. U.S. Dist. Ct. M.D. 1979. Class action. Withdrawn. Sp. Ed. Handicapped student seeks to attend school closer to home and contests placement in least restrictive environment. Brenda Seay, Alabama Developmental Disabilities Advocacy Program, 918 Fourth Avenue, Tuscaloosa 35401, 205-348-4928.

[H1 H6] Mason v. Mobile Co. Bd. of School Commission. U.S. Dist. Ct. S.D. June 1979. Class action. Sp. Ed. Suit for failure to provide adequate physical facilities for handicapped students. Plaintiff requests damages and payment by school board for alternative placement and services (tutors). Robert Smith; Collins, Galloway & Smith, Suite 525, Bel Air Office Mall II, 3100 Cottage Hill Road, Mobile 36606, 205-476-4493.

[H6 P1] Parker v. Auburn City Schools. U.S. Dist. Ct. M.D. Apr. 1981. Sp. Ed. Challenging procedures for selecting hearing officers for due process hearings, and to obtain appropriate services for learning disabled child in school. Robert Smith; Collins, Galloway, & Smith, Bel Air Mall II, 3100 Cottage Hill Road, Mobile 36601, 205-476-4493.

[E2] Bobbie S. v. Dallas County Bd. of Ed. U.S. Dist. Ct. May 1979. Decision Dec. 1979, D. 480 F. Supp. 1324. Consolidated into Lee v. Macon Co. Bd. of Ed. Racial discrimination suit alleging that racially based tests are used to track students. Brooker Forte, Legal Services Corporation of Alabama, Inc., P.O. Box 454, Selma 36701, 205-875-3770.

[D1 D8] In re: John S. Juvenile Ct. Etowah Co. 1979. Decision Dec. 1979, P. Students contest expulsion, claiming lack of due process and lack of evidence of any violation of a code. Sue Thompson, Legal Services Corporation of Alabama, 802 Chestnut Street, Gadsden 35901, 205-543-2435.

[D1 D8 P2] Student #1 v. Tuscaloosa City Bd. of Ed. Cir. Ct. Tuscaloosa Co. 1981. Class action. Sp. Ed. Challenging suspension and exclusion policies of handicapped and nonhandicapped students on procedural and substantive due process grounds. Richard Ebbinghouse, Alabama Legal Services, 912 Fourth Avenue, Tuscaloosa 35401, 205-758-7503.

[D3 E2] Williams v. School Bd. of Thomasville. U.S. Dist. Ct. Oct. 1980. Moot. Suit to reinstate a student to a football team, claiming he was dismissed because he was black. J. L. Chestnut; Chestnut, Sanders, Sanders & Turner, P.O. Box 1305, Selma 36701, 205-875-9264.

ALASKA

[E7] Akiak v. Lind. Superior Ct. 1980. Suit to force state to cooperate with a native school, for example in providing services. Bruce C. Twomley, Alaska Legal Services Corp., 615 H Street, Anchorage 99501, 907-272-9431.

[H6 H9] Cordova City Schools v. State of Alaska. Superior Ct. Feb. 1978. Sp. Ed. Manner of calculating funding to meet special education requirements, and the level and extent of services to be given handicapped children. Lawrence T. Feeney, 311 Franklin St., Suite 201, Juneau 99801, 907-586-2210.

[O1] Danner v. North Slope Borough Schools Dist. Superior Ct. Aug. 1977. Decision Jan. 1980, D. ELB 487. Suit for damages (under state law and §1983) for invasion of privacy through compulsory attendance at a sex education class. Pro se. Defense attorney is Hugh W. Fleischer; Hedland, Fleischer, & Friedman, 1016 W. 6th Ave., Suite 400, Anchorage 99501, 907-279-5528.

[E4] Lower Kuskokwim Regional Ed. Attendance Area v. Califano. U.S. Dist. Ct. Oct. 1977. Settled. Suit to enjoin HEW from ruling that the plaintiff school is ineligible for Emergency School Aid Act grants (because of violation of bilingual education requirements). See Northwest Arctic case, infra. Janalee R. Strandberg; Hedland, Fleischer & Friedman, 1016 West 6th Ave., Suite 400, Anchorage 99501, 907-279-5528.

[E4] Northwest Arctic v. Califano. U.S. Dist. Ct. 1978. Settled. Suit by several rural school districts to enjoin enforcement of Lau remedies (bilingual education) for Native Americans in districts where Native Americans controlled the school boards; the federal government requested, among other things, teachers trained in the native language and development of writing systems and educational materials. Howard S. Trickey; Jermain, Dunnagan & Owens, 801 West Fireweed Lane, Suite 201, Anchorage 99503, 907-276-6532.

[F5] Sheban v. Greater Anchorage Borough School Dist. Superior Ct. 1977. Decision, D. Appealed to Supreme Ct. but settled. Whether chiropractors can sign waivers from immunization shots for school children. Mitchel J. Schapira, 1016 West 6th Avenue, Anchorage 99501, 907-276-3953.

[O1] Tamrell v. Rotary Club of Matanuska Valley. Superior Ct. Dec. 1980. Settled. Foreign exchange student was about to be deported because the Rotary Club terminated its sponsorship; this suit was a defamation action against the Rotary Club. Robert H. Wagstaff; Wagstaff, Middleton & Pope, 912 West 6th Ave., Anchorage 99501. 967-277-0282.

[H1] Traxnier v. Anchorage School Dist. U.S. Dist. Ct. Jan. 1978. Settled. Sp. Ed. Student wanted out-of-state placement, and the school had stated that an in-state facility was adequate. Steve Morrissett, P.O. Box 6-650, Anchorage 99502, 907-274-7808.

[B2] Tunley v. Anchorage School Dist. Superior Ct. 1978. Decision, D. Alaska Supreme Ct. 1979. Decision Sept. 1980, P. School closure procedure: was five days notice prior to hearing on closure adequate? Who had authority to close the school--the school board or the municipality? Charles R. Tunley, 738 H Street, Anchorage 99501, 907-274-3544.

[S3] Vania v. Alaska School Activities Ass'n. Superior Ct. 1979. Class action. Decision 1979, D. Suit contesting defendant's rule restricting the number of members on school teams. Charles E. Tulin, 529 West Third Street, Anchorage 99501, 907-272-9546.

[H1] Walker v. Fairbanks North Star School Dist. Superior Ct. 1979. Decision Sept. 1979, D. Alaska Supreme Ct. Jan. 1980. Sp. Ed. Suit for reimbursement of expenses for out-of-state placement of learning disabled children and for damages on the grounds that the school did not have adequate screening and treatment programs for the children. Joseph W. Sheehan, P.O. Box 906, Fairbanks 99707, 907-452-8267.

ARIZONA

[D8] Aaragon v. Mohave Valley School Dist. #16. Superior Ct. Mohave Co. 1981. Settled. Whether the student was entitled to a hearing within 10 days of suspension. Paul Lenkowsky; Leek & Lee, P.O. Box 1105, Bullhead City 86430, 602-753-5363.

[H7] Chapman v. School Dist. #10 of Pima Co. U.S. Dist. Ct. June 1980. TRO. Sp. Ed. Failure by school district to provide summer school. Amy J. Gittler; Arizona Center for Law in the Public Interest, 112 N. Fifth Ave., Phoenix 85003, 602-252-4904.

[R3] Collins v. Chandler Unified School Dist. U.S. Dist. Ct. 1978. Decision Mar. 1979, P. 470 F. Supp. 959. CCA 9, 1979. Decision May 1981, P. Challenge to the practice of opening student assemblies with prayer--whether it is protected as a right of free speech or is a violation of the establishment clause. Philip R. Higdon; Brown & Bain, 222 N. Central Ave., Phoenix 85004, 602-257-8777.

[D1 D8] Mata v. Miami Area Unified School Dist. Superior Ct. Gila Co. Apr. 1978. Decision 1978, P. 12 CHR 500. Student contested expulsion by the school board, claiming that the hearing should be open under the state open hearing law. Whether there was good cause to discipline student. Peter Cahill, P.O. Box 2643, Globe 85501, 602-425-6030.

[H1 P1] Pendergast School Dist. v. Phillips. Superior Ct. Maricopa Co. 1978. Transferred to federal ct., then settled. Sp. Ed. Whether district can change placement from private to public school without a due process hearing. Robert Beckett; Capra & Beckett, 101 N. 1st Ave., Phoenix 85003, 602-257-0336.

[D4 D9 P2] Ramon v. Soto. U.S. Dist. Ct. Apr. 1981. Class action. Sp. Ed. Suit re Indian boarding school, alleging failure of due process on discipline cases and on special education cases, physical abuse of students and failure to follow B.I.A. regulations. Damages sought. Mary Jo O'Neill; Urban Indian Law Project, 3302 N. 7th St., Phoenix 85014, 602-279-4116.

[E6] Scott v. Mohave Union High School Dist. #30. U.S. Dist. Ct. Apr. 1981. Preliminary injunction Apr. 1981. Allegation of sex discrimination on golf team; the school will not permit a girl on the team because it has a rule against mixed-sex teams. Stephen Lee; Leek & Lee, P.O. Box 1105, Bullhead City 86430, 602-753-5363.

[B6] Taylor v. Miami. Superior Ct. Gila Co. May 1978. Settled. Whether the student should be permitted to appear in the graduation line after being expelled at the end of the year. Defense attorney is Thomas M. Thompson, P.O. Box 307, Globe 85501, 602-425-7609.

[D1] Taylor v. Miami Area Unified School Dist. Superior Ct. Gila Co. 1978. TRO granted. Whether a student could be expelled upon first offense. Peter Cahill, P.O. Box 2643, Globe 85501, 602-423-6030.

[E1] United States v. Phoenix Union High School Dist. U.S. Dist. Ct. May 1981. Suit to gain access to the School Board's records, in a dispute about whether closing of schools was done with a motive to discriminate against minorities. Burtis M. Dougherty, Jr., U.S. Department of Justice, Washington, D.C. 20530, 202-633-2178.

[B1] Valenzia v. Douglas Public Schools. Superior Ct. Cochise Co. 1978. Class action. Settled. Whether the school must take a child when guardians live in the district, but parents live elsewhere; the school alleged that the guardianship was established only for school purposes. C. Christopher Hitchcock; Southern Arizona Legal Aid, P.O. Box GG, 406-A Eighth St., Douglas 85607, 602-364-7973.

[D8 D9] Velasco v. Sorenson. U.S. Dist. Ct. Sept. 1978. Settled. 13 CHR 629. Due process in discipline in Bureau of Indian Affairs school. Robyn Brown; Urban Indian Law Project, 3302 North 7th St., Phoenix 85014, 602-279-4116.

[H8] Wolf v. Arizona State School for Deaf and Blind. U.S. Dist. Ct. Mar. 1980. Sp. Ed. Extent of duty of state to provide transportation for handicapped students; whether mileage limitations apply and what type of transportation is adequate, Robert Beckett; Capra & Beckett, 101 N. 1st Ave., Phoenix 85003, 602-257-0336.

ARKANSAS

[E7] Alma School Dist. #30 v. DuPree. Chancery Ct. Pulaski Co. Jan. 1977. Class Action. Challenging the formula by which Minimum Foundation Program Aid Funds (state) are distributed, as unconstitutional. Ben Core; Daily, West, Core, Coffman & Canfield, P.O. Box 1446, Ft. Smith 72902, 501-782-0361.

[B4] Burris v. Malvern School Dist. U.S. Dist. Ct. Jan. 1981. Whether fees charged for additional texts, band, laboratory, etc. violate Fourteenth Amendment due process guarantees. John W. Walker, 1191 1st National Bank Bldg., Little Rock 72201, 501-374-3758.

[B3] Campbell v. School Bd. of N. Little Rock. U.S. Dist. Ct. Oct. 1977. Injunction Nov. 1977. Challenge to school policy of deciding which children should be bussed, alphabetically by their last name. Patrick H. Hays; Wilson, Lewis & Hays, Twin City Bank Bldg., North Little Rock 72114, 501-376-4090.

[E1 E2] Collins v. West. U.S. Dist. Ct. W.D. Dec. 1977. Settled Feb. 1981. Charge that the whole school system discriminates against black students in many respects; e.g. discipline, expulsion, districting. John W. Walker, 1191 1st National Bank Bldg., Little Rock 72201, 501-374-3758.

[B1] Cord-Charlotte School Dist. v. Newark School Dist. Cir. Ct. Independence Co. 1979. Decision Jan. 1980, D. Arkansas Supreme Ct. 1980. Decision Dec. 1980, P. Questioning the authority of the County Board to transfer students without the consent of the school boards involved. Bill W. Bristow; Seay & Bristow, 216 E. Washington St., Jonesboro 72401, 501-935-9000.

[E6] Councille v. Arkansas Activities Ass'n. U.S. Dist. Ct. E.D. 1980. Suit to allow women to run in the state track meet. Andrew Weltchek and John Walker, P.O. Box 2832, Little Rock 72203, 501-374-2660.

[D8] Crutchfield v. Arkansas State Bd. of Ed. U.S. Dist. Ct. 1978. Class action. Class action denied. Dismissed 1978. Question of due process hearing in connection with short term suspension. Simmons S. Smith, Donaghy Bldg., Suite 318, 7th & Main Streets, Little Rock 72201, 501-375-3993.

[D8] Dillon v. Pulaski Co. Spec. School Dist. U.S. Dist. Ct. E.D. Feb. 1978. Decision Aug. 1978, P. 468 F.Supp. 54. CCA 8 Feb. 1978. Decision Mar. 1979, P. 594 F.2d 699. Due process on expulsion for kissing a girl in school and smart-mouthing teacher. Failure to permit cross-examination on disciplinary hearing. William P. Dougherty, General Counsel, Savers Saving & Loan Ass'n., P.O. Box 2499,Little Rock 72201, 501-372-3311.

[E6] Dodson v. Arkansas Activities Ass'n. U.S. Dist. Ct. June 1977. Decision Apr. 1979, P. 468 F. Supp. 394. A girl challenges "girls rules" in basketball because the rules impare her chances to play college and professional basketball. Henry Morgan, 201 N. Tenth St., Arkadelphia 71923, 501-246-9868.

[H1] Fortenberry v. Ft. Smith School Dist. U.S. Dist. Ct. W.D. 1979. Settled. Proper program for multi-handicapped, emotionally disturbed child. Parents wanted a resident program in Texas; school wanted to mainstream. Stephen M. Sharum, P.O. Box 1951, Ft. Smith, 72902, 501-785-2923.

[D8] Givens v. Warren. U.S. Dist. Ct. W.D. Apr. 1980. Settled Apr. 1980. Due process challenge to an indefinite suspension on the grounds that the school failed to comply with its own handbook procedures. Gilbert L. Glover; Legal Services of Arkansas, P.O. Box 2038, Little Rock 72209, 501-376-8015.

[E2 S1] Kimbrew v. Arkansas Ath. Ass'n. U.S. Dist. Ct. Sept. 1977. Settled. Challenge to Association rule that students are ineligible to compete in inter-scholastic activities for a period after transfer to a different school, charging racial discrimination in application of the rule. Les A. Hollingsworth; Hollingsworth & Associates, 400 Tower Bldg., 4th & Center St., Little Rock 72201, 501-374-3785.

[D8] Laster v. Huecker. U.S. Dist. Ct. W.D. Aug. 1980. Settled. 14 CHR 1107. Challenge to the State rehabilitation center policy of expelling students without any hearing. Thomas J. Ginger; Central Arkansas Legal Services, 209 W. Capitol Ave., Little Rock 72201, 501-376-3423.

[D1 D8] McCluskey v. Rogers Bd. of Ed. U.S. Dist. Ct. W.D. Dec. 1980. Decision Jan. 1981, P. CCA 8 Jan. 1981. Alleged violation of substantive due process in application of school board rule providing for automatic expulsion on use of "controlled substance" as defined by state statute. School board thought the statute included alcohol as a "controlled substance" (though statute specifically excluded alcohol) and expelled student for intoxication. John E. Jennings, 117 S. Second St., Rogers 72756, 501-636-1059.

[F3 S3] McGriff v. Grayson. Lincoln Co. Chancery Ct. May 1979. Decision Sept. 1980, D. Whether a new requirement that girl cheerleaders change from short skirts to long pants violated the rights of two cheerleaders under the federal and state constitutions. Thurman Ragar, Jr., P.O. Box 9023, Pine Bluff 71611, 501-536-2555.

[R5] Malone v. Arkansas Activities Ass'n. U.S. Dist. Ct. E.D. Feb. 1981. Decision Feb. 1981, D. CCA 8 Feb. 1981. Student of non-accredited Baptist school wanted his team to play in basketball tournament, so he challenged rule barring non-accredited schools from the Association; theories were religious freedom and equal protection. See Windsor Park case, infra. Wyman R. Wade; Daily, West, Core, Coffman & Canfield, P.O. Box 1446, Ft. Smith 72902, 501-782-0361.

[S1] Russell v. Arkansas Activities Ass'n. U.S. Dist. Ct. 1979. TRO denied 1979. Challenge to Association rule that transfer from one school to another without change of residence makes student ineligible for interscholastic athletics for one year. Charles A. Brown; Patten, Brown & Leslie, One Union National Plaza, Little Rock, 72201, 501-374-7582.

[H2] Springdale School Dist. v. Grace. U.S. Dist. Ct. W.D. 1980. Decision July 1980, D. 494 F. Supp. 266. CCA 8 1980. Sp. Ed. Whether deaf child should be educated in special facility for the deaf, 200 miles from home, as the school wishes, or in a self-contained classroom near home as the parents wished. The school is contesting the Education Department's ruling for the parents. James M. Roy, Jr.; Blair, Cypert, Waters & Roy, P.O. Box 869, Springdale 72764, 501-751-5777.

[D8] Williams v. Jones. U.S. Dist. Ct. Nov. 1979. Decision July 1980, D. Challenge to expulsion on the grounds of lack of notice of hearing--failure of due process. Thomas J. Ginger; Central Arkansas Legal Services, 209 W. Capitol Ave., Little Rock 72201, 501-376-3423.

[S2] Wilson v. Arkansas Activities Ass'n. U.S. Dist. Ct. Nov. 1979. Decision Nov. 1979, D. Suit for injunction to permit student to participate in interscholastic athletics beyond eight semesters on the ground that there had been no notice of the rule. Patrick H. Hays; Wilson, Lewis & Hays, Twin City Bank Bldg., North Little Rock 72114, 501-376-4090.

[R5] Windsor Park Baptist Church, Inc. v. Arkansas Activities Ass'n. U.S. Dist. Ct. E.D. Dec. 1980. Decision Feb. 1981, D. CCA 8 Feb. 1981. Whether a rule of the Association that only schools accredited by the State Board of Education could belong to the Association violated the religious freedom of a Baptist Church school which wanted to compete in interscholastic activities (basketball). Gregory T. Karber; Pryor, Robinson, Taylor & Barry, 315 N. Seventh St., Fort Smith 72902, 501-782-8813.

[H2] Woodard v. Pocahontas School Dist. U.S. Dist. Ct. E.D. Feb. 1981. Sp. Ed. Challenge to school's attempt to reverse mainstreaming and send handicapped child back to the Arkansas School for the Deaf. John Burris; Burris & Berry, P.O. Box 410, Pocahontas 72455, 501-892-3542.

[E2] Lucille X. v. Bd. of Ed. of Little Rock. U.S. Dist. Ct. June 1980. Dismissed as moot, Sept. 1980. Challenge to summer program for the gifted and talented on the ground that it is racially discriminatory. John W. Walker, 1191 St. National Bank Bldg., Little Rock, AR 72201, 501-274-2758.

CALIFORNIA

[B5] Acosta v. Santa Ana Unified School Dist. Superior Ct. 1981. Class action. Rights of students to free breakfast (same case as Leon v. Santa Ana U.S.D, but for the succeeding year). Gary Williams, ACLU Foundation of Southern California, 633 South Shatto Place, Los Angeles 90005, 213-487-1720.

[E1] Aguilera v. Bd. of Ed., Santa Barbara School Dist. Superior Ct. June 1979. Class action. Suit for desegregation of elementary schools. Dennis P. Flanagan, 926 Garden St., Santa Barbara 93101, 805-962-7088.

[D8] Aguirre v. San Bernadino Unified School Dist. Superior Ct. Nov. 1978. Decision, D. Ct. of Appeal Feb. 1980. Decision Dec. 1980, P. Review granted by California Supreme Ct. Whether a student has the right to confront witness at an expulsion hearing. Cynthia Ludvigsen; Inland Counties Legal Services, Suite 310, 362 N. Arrowhead Ave., San Bernadino 92401, 714-884-8615.

[D3] Aldana v. Buntaro. Superior Ct. May 1981. Settled. Student was barred from participating in a talent show after misperforming in a school play. Catherine Weihe, 485 Piercy Road, San Jose 95138, 408-275-1844.

[R2] Anderson v. Saddleback Valley Unified School Dist. Superior Ct. Orange Co. Apr. 1981. Parents and students sue to stop meetings by religious clubs in the schools. Richard Petherbridge, 1722 N. Broadway, Santa Ana 92706, 714-835-0935.

[E1 E4] Angeles v. Santa Barbara School Dist. Superior Ct. Apr. 1979. Class action. Decision Sept. 1979, D. Ct. of Appeal 1980. 13 CHR 205. ELB 980. Whether a school district of eleven schools that closed three schools with predominantly Hispanic population acted with a racial motivation, thus violating the California and Federal constitutions. Plaintifts also seek to maintain bilingual education program. Kirk Ahtye; Channel Counties Legal Services Association, 735 State St., Santa Barbara 39101, 805-963-5981.

[E6] Appleby v. Mountain View--Los Altos Union School Dist. U.S. Dist. Ct. Aug. 1980. Class action. Sex discrimination suit by girl desiring to play football. Judith Kurtz, Equal Rights Advocates, 1370 Mission St., San Francisco 94103, 415-621-0505.

[H2] Area 6 Developmental Disabilities Bd. v. Riles. Superior Ct. 1979. Sp. Ed. Whether residents in state hospital have the right to the least restrictive education. Catherine Blakemore; Protection and Advocacy, Inc., 1636 W. 8th St., Los Angeles 90017, 213-383-7285.

[E4] Atilano v. Salinas Union High School. U.S. Dist. Ct. 1977. Class action. Settled. Suit to enforce the federal and state bilinginal education laws in the high school. Luis Jaramillo; El Paso Legal Assistance, 109 North Oregon Street, El Paso, Texas 79901, 915-533-1942.

[P1] David B. v. Riles. Superior Ct. 1980. Settled. Sp. Ed. Suit to compel the Department of Education to issue a decision (the suit was brought after a delay in getting the decision out). Sheila Brogna, Legal Services for Children, 149 9th St., San Francisco 94103, 415-863-3762.

[H1] Jon B. v. Huntington Beach City School Dist. Superior Ct. June 1977. Decision, P. Sp. Ed. Suit for private placement and funding for past private placement of child. R. A. Bender, 16152 Beach Blvd., Suite 279, Huntington Beach 92647, 714-842-0010.

[H1] Mark B. v. Tustin Unified School Dist. Superior Ct. 1978. Decision Nov. 1979, P. Sp. Ed. Suit for private placement. R. A. Bender, 16152 Beach Blvd., Suite 279, Huntington Beach 92647, 714-842-0010.

[H1 P1] Matthew B. v. Fullerton Union High School Dist. Superior Ct. 1978. Decision Aug. 1980, P. Sp. Ed. Suit for private placement. Plaintiff claims that the school did not follow procedures required by statute. R. A. Bender, 16152 Beach Blvd., Suite 279, Huntington Beach 92647, 714-842-0010.

[H5] Ronnie B. v. State of California. Superior Ct. 1981. Sp. Ed. Contesting graduation of deaf child from school for the deaf, claiming that the schools should provide further education. R. A. Bender, 16152 Beach Blvd., Suit 279, Huntington Beach 92647, 714-842-0010.

[A1] Barber v. California Bd. of Ed. Superior Ct. Oct. 1980. Whether the California law allowing the individual school districts to administer proficiency tests with different levels of passing is unconstitutional because different districts can thus provide various levels of education. Robert Odell; Southeast Legal Aid Center, 2007 East Compton Blvd., Compton 90221, 213-638-6194.

[H2] Bartine v. Riles. Superior Ct. 1980. Decision Nov. 1980, D. Ct. of Appeal Feb. 1981. Sp. Ed. Whether the state has an obligation to provide a least restrictive education for children between 3 and 5. Catherine Blakemore; Protection and Advocacy, Inc., 1636 W. 8th St., Los Angeles 90017, 213-383-7285.

[S1] *Bay Area Conference* v. *California Interscholastic Federation*. Superior Ct. Apr. 1981. Suit contesting defendant's rule making students ineligible for sports after transferring between a private and public school. Daniel Johnson; Cooley, Godward, Castro, Hudlson and Tatum, Alcoa Building, 20 Floor, Maritime Plaza, San Francisco 94111, 415-981-5252.

[H1] *Boxall* v. *Sequoia Union High School Dist*. U.S. Dist. Ct. July 1978. Decision Jan. 1979, M. Motion to dismiss denied. 464 F. Supp. 1104. Sp. Ed. Suit for reimbursement for private tutor for autistic child. The school district claims that the county program is adequate and that administrative remedies were not exhausted. Alice Smith, C/O Sprig Theabold, 369 Lytton Ave., Palo Alto 94301.

[H7] *California Ass'n. of Retarded Citizens* v. *Compton Unified School Dist*. Superior Ct. 1978. Settled. Sp. Ed. Suit for summer program. Terry Friedman; Western Center on Law & Poverty, 3535 West 6th Street, Los Angeles 90020, 213-487-7211.

[H2] *California Ass'n. for the Retarded* v. *Riles*. U.S. Dist. Ct. N.D. Feb. 1977. Class action. Settled. Sp. Ed. Plaintiffs contest segregation of handicapped children into special schools and classrooms, request more resources for children attending regular classes and asks the California Department of Education to issue regulations providing least restrictive alternative. Mary Burdick, Western Center on Law and Poverty, 1709 W. Eighth Street, Los Angeles 90017, 213-487-7211.

[E4] *Camacho* v. *North Monterey County Unified School Dist*. U.S. Dist. Ct. 1977. Class action. Settled. Suit to enforce the Federal and State bilingual education laws in elementary school. Luis Jaramillo; El Paso Legal Assistance, 109 North Oregon Street, El Paso, Texas 79901, 915-533-1942.

[H1] *Clanton* v. *Capistrano Unified School Dist.* Superior Ct. Dec. 1980. Preliminary injunction Jan. 1981. Sp. Ed. Suit to implement IEP for blind student; plaintiffs request special teacher be supplied for home teaching. Ann Andres, 1202 N. Broadway, Santa Anna 92701, 714-547-7624.

[E4] *Comite de Padres de Familia* v. *Riles.* Superior Ct. May 1979. ELB 1030. 13 CLR 390. Whether California's bilingual education law is being enforced and monitored properly. Peter Roos; Mexican American Legal Defense & Education Fund, 28 Geary Street, 6th Floor, San Francisco 94108, 415-981-5800.

[B2] *Committee to Save Lowell High School* v. *Fullerton Joint Union High School Dist*. Decision 1980, D. Contesting a school closing. Terry Giles, 17321 Irvine Blvd., Tustin 92680, 714-544-4132.

[P1] *Community Action for Limited Learners* v. *California State Bd. of Ed*. Superior Ct. Aug. 1980. Class Action. 14 CHR 769. Sp. Ed. Complaint that the Board takes too long to hear special education cases. Charles Wolfinger; Legal Aid Society of San Diego, 964 Fifth Ave., San Diego 92101, 714-239-9611.

[E2 D1] *Community Group for a Better Ed.* v. *Los Angeles Unified School Dist.* Superior Ct. Oct. 1980. Class action. Whether, based on statistical information, the school district's expulsions and supensions were racially motivated. Kennon Dobberteen; Legal Aid Foundation of Los Angeles, 3663 W. 6th St., Los Angeles 90020, 213-381-2131.

[H6] Covina Valley Unified School Dist. v. Riles. Superior Ct. Mar. 1981. Sp. Ed. Dispute over what kind of interpreter the school must supply a deaf child. John Wagner; Wagner and Wagner, 929 W. Olive Avenue, Burbank 91506, 213-841-1844.

[H1 H5 P1] Cox v. Fouts. Superior Ct. 1979. Decision Jan. 1980, P. Sp. Ed. Suit to maintain child in private school after the child was graduated. Whether the school must hold a hearing to develop an IEP. Stacy Cromidas, Legal Aid Society of San Diego, 216 S. Tremont Street, Oceanside 92054, 714-722-1935.

[D8] Crosby v. Los Angeles Unified School Dist. Superior Ct. Sept. 1980. Decision Oct. 1980, D. Ct. of Appeals Jan. 1981. 14 CHR 1103. Contesting a student's suspension on the grounds that it relied on hearsay and that the school board did not make several findings required by law (including whether there was a possible alternative disposition). Elena Ackel, Legal Aid Foundation of Los Angeles, South Central Office, 8601 South Broadway, Los Angeles 90003, 231-971-4102.

[O1] Deukmejian v. Los Angeles Unified School Dist. Superior Ct. 1980. Decision 1981, D. Ct. of Appeal 1981. The attorney general asks for more security in the schools, claiming children are subjected to cruel and unusual punishment and that the violence hampers the right to a free public education. Robert Murphy, Deputy Attorney General, 315 McAllister St., Room 6000, San Francisco 94102, 415-557-3946.

[D8] Doe v. Santa Ana Unified School Dist. Superior Ct. 1979. Decision Jan. 1980, D. Ct. of Appeal 1980. Decision Jan. 1980, D. Contesting expulsion on the grounds that the hearing panel contains school officers. Ellen Pierce, Legal Aid Society of Orange County, Anaheim 92805, 714-533-7490.

[A2 H6] John Doe v. Los Angeles Unified School Dist. Superior Ct. 1981. Sp. Ed. Damage action for failure to educate child. Jonathan A. Adler, 10880 Wilshire Blvd., Los Angeles 90024, 213-475-7584.

[P2] John Doe v. Maher. U.S. Dist. Ct. Nov. 1980. Preliminary injunction Dec. 1980. Sp. Ed. Damage action for expulsion of a handicapped child, claiming that special procedures must be used instead of procedures for expulsion of non-handicapped children. Shelia Brogna; Legal Services for Children, 149 9th St., San Francisco 94103, 415-863-3762.

[H6] Drumheller v. San Diego Unified School Dist. U.S. Dist. Ct. S.D. Mar. 1980. Sp. Ed. Whether the school district was providing an adequate education for an emotionally handicapped student who could not attend normal classes. Dale R. Larabee; Hillyer & Irwin, 530 B. Street, Suite 1400, San Diego 92101, 714-234-6121.

[H6 E2] Duran v. San Jose Unified School Dist. U.S. Dist. Ct. 1979. Withdrawn. Sp. Ed. Section 1983 suit for damages for inadequate education of handicapped child, alleging racial discrimination. Martin Fenster, 111 W. St. John St., Suite 1020, San Jose 95113, 408-293-6341.

[H1] Evan v. Tucson Unified School Dist. Superior Ct. 1981. Sp. Ed. Suit for reimbursement for private placement on the grounds that the school district did not tell the parents that it can provide such placement. R. A. Bender, 16152 Beach Blvd., Huntington Beach 92647, 714-842-0010.

[A2 H6] Clareen and Ray F. v. Western Placer Unified School Dist. Superior Ct. Apr. 1979. Decision Jan. 1980, D. Ct. of Appeal June 1980. Decision Mar. 1981, D. California Supreme Ct. denied review. Sp. Ed. Damage suit for educational malpractice, alleging that the school failed to inform the parents of evaluation results and to provide special programs. John J. Roman, 721 9th Street, Sacramento 95814, 916-441-6240.

[D8] Garcia v. Los Angeles Co. Bd. of Ed. Superior Ct. Nov. 1979. Decision Feb. 1980, D. Ct. of Appeal 1980. Whether the school board must explore alternative correctional means before expelling a student. Ronald Rouda; Legal Aid Foundation of Los Angeles, 318 South Lincoln Blvd., Venice 91401, 213-870-4672.

[H1] Grandle v. Hillsboro School Dist. U.S. Dist. Ct. May 1980. Sp. Ed. Placement in a private facility. The child is suing the school district for failure to comply with the hearing examiner's decision. Peter Sandmann, 354 Pine St., San Francisco 94104, 415-391-8100.

[D5] Grieb v. Anaheim Union High School Dist. Superior Ct. Feb. 1979. Settled. Suspended students contest the use of undercover police in school. Ron Talmo, 1801 Park Ct., Plaza Building F, Santa Ana 92701, 714-634-1995.

[D4 P2] Guffie v. Diamond View Schools. U.S. Dist. Ct. 1981. Sp. Ed. Seven handicapped students claim that school officials used corporal punishment and that suspending and expelling the children denies their right to adequate education. A. Lee Sanders, 9033 Golf Links Road, Oakland 94605, 415-635-9640.

[B4] Hartzell v. Santa Barbara School Dist. Superior Ct. Sept. 1980. Whether student activity fees violate the California statutes and constitution. Kirk Ahtye, Channel Counties Legal Services Association, 735 State St., Santa Barbara 39101, 805-963-5981.

[S2] Helton v. Hilltop High School. Superior Ct. Oct. 1977. Preliminary injunction denied 1977. Student contests the eight semester rule for sports eligibility. Don H. Goss, 7860 Mission Center Ct., Suite 201, San Diego 92108, 714-299-3577.

[S1] Heneghan v. California Interscholastic Federation. Superior Ct. Orange Co. Nov. 1980. Decision Dec. 1980, D. Student contests ineligibility for sports after transferring from a private to public school. Ronald Kreber 4299 MacArthur Blvd., Newport Beach 92660, 714-752-5656.

[A1] Hernandez v. Bd. of Ed. of Lynwood Unified School Dist. Superior Ct. May 1979. Settled. ELB 1049. Whether the school district's plan for competency testing met the state requirement for parental and student participation in the planning stages. Whether the school district could hold back children who did not pass the exam. Robert Odell, Southeast Legal Aid Center, 2007 E. Compton Blvd., Compton 90221, 213-638-6194.

[F1] Hinze v. Tamalis Unified School Dist. Superior Ct. May 1980. Preliminary injunction denied. Ct. of Appeal Dec. 1980. Whether a student's first amendment rights were violated when he was suspended for wearing a "Fuck the Draft" button. Robert A. Spanner; Severson, Werson, Berke & Melchoir, 1 Embarcadero Center, San Francisco 94111, 415-398-3344.

[H1] Hubert v. Newport-Masa Unified School Dist. Superior Ct. Oct. 1980. Decision May 1981, D. Ct. of Appeal May 1981. Sp. Ed. Suit for reimbursement for private placement made by the parents, pending hearing procedures. Spencer Covert, 250 Golden Circle, Santa Ana 92705, 714-973-2137.

[E4] Jenkins v. Garden Grove Unified School Dist. Superior Ct. 1979. Decision 1979, D. Two students and a teacher sued to remove the teacher as an English-as-a-second-language teacher claiming that the students were entitled to better teaching. (The teacher sued in a taxpayer action, and the court dismissed the case for lack of standing.) Ann Andres, 1202 N. Broadway, Santa Ana 92701, 714-547-7674.

[H1] Knight v. Riles. Superior Ct. 1979. Settled. Sp. Ed. Suit for private placement in an out-of-state school. Walter Mahassa; Morrison & Smith, 1538 E. 4th Street, Santa Ana 92701, 714-558-1675.

[P2] Koyle v. Victor Valley Joint Union High School Dist. U.S. Dist. Ct. Apr. 1980. Sp. Ed. Whether the school used correct procedures when suspending a handicapped student. Damages sought. Cynthia Ludvigsen, Inland Counties Legal Services, Suite 310, 362 N. Arrowhead Avenue, San Bernardino 92401, 714-884-8615.

[H1] Christopher L. v. Westminster School District. Superior Ct. 1977. Settled. Sp. Ed. Suit for reimbursement for cost of private schooling, on the grounds that the school did not inform the parents of the school's obligation to provide private placement. R. A. Bender, 16152 Beach Blvd., Suit 279, Huntington Beach 92647, 714-842-0010.

[B5] Leon v. Santa Ana Unified School Dist. Superior Ct. Feb. 1980. Class action. Decision 1980, P. Ct. of Appeal 1980. Right of students to free breakfast in public schools. Gary Williams, ACLU Foundation of Southern California, 633 South Shatto Place, Los Angeles 90005, 213-487-1720.

[H2 H6 H8] Luftig v. Marin Co. Bd. of Ed. U.S. Dist. Ct. N.D. Aug. 1980. Sp. Ed. A deaf child, who uses total communication, desires to spend part of the day in regular school rather than all day in a centrally located program. Also requests a translator at school plus transportation to school. Lawrence Siegel, Bay Area Center for Law and the Deaf, 1320 Webster Street, Oakland 94612, 415-465-9526.

[H1] David M. v. Riverside Co. Superior Ct. 1981. Sp. Ed. Plaintiff alleges that the schools removed the child from private placement to a regular classroom without preparing the IEP required for a change of placement. R. A. Bender, 16152 Beach Blvd., Huntington Beach 92647, 714-842-0010.

[H1] Dylan M. v. San Francisco Unified School Dist. Superior Ct. Feb. 1981. Settled. Sp. Ed. Suit to force the San Francisco school department to follow a hearing officer decision (to issue a waiver request for authorization to send the child to a school not certified by the state). Sheila Brogna, Legal Services for Children, 149 9th St., San Francisco 94103, 415-863-3762.

[D8] Sherman M. v. San Francisco Unified School Dist. Superior Ct. Feb. 1977. Class action. 10 CHR 1058. Suit contesting indefinite suspensions pending expulsion proceedings, the school's circumvention of statutes limiting length of suspensions, and each of the hearings on suspensions. Susanne Martinez, National Center on Youth Law, 693 Mission St., San Francisco 94105, 415-543-3307.

[H0] *Steven M.* v. *Anaheim Union School Dist. I*. Superior Ct. July 1978. Decision 1978, P. Sp. Ed. Suit to force the school to prepare an IEP for the child. R. A. Bender, 16152 Beach Blvd., Huntington Beach 92647, 714-842-0010.

[H7] *Steven M.* v. *Anaheim Union School Dist. II*. Superior Ct. Apr. 1978. Decision 1978, P. Sp. Ed. Writ of mandate to determine length of the school year, i.e., 175 vs. 365 days. R. A. Bender, 16152 Beach Blvd., Huntington Beach 92647, 714-842-0010.

[E6] *Marcantelli* v. *Antioch Unified School Dist*. U.S. Dist. Ct. Jan. 1980. Class action. Withdrawn. Sex discrimination suit by a girl desiring to play football. Judith Kurtz, Equal Rights Advocates, 1370 Mission St., San Francisco 94103, 415-621-0505.

[A2 H5 H6] *McConnell* v. *Glendale Unified School Dist.* Superior Ct. Mar. 1981. Sp. Ed. Damage action for failure to give a learning disabled child appropriate reading education. Also failure to tell the student that he had a right not to receive a diploma (the plaintiff alleges that the school should not have graduated him). Jonathan A. Adler, 10880 Wilshire Blvd., Los Angeles 90024, 213-475-7584.

[F2] *McKamey* v. *Mt. Diablo Unified School Dist*. Superior Ct. Sept. 1980. Whether high school's restriction of access to *Ms.* magazine in school library (requirement of parental permission, *inter alia*) violates state constitutional guarantees. Wendy L. Wyse; Morrison & Foerster, One Market Plaza, Spear Street Tower, San Francisco 94105, 415-777-6000.

[E1] *McKinney* v. *Oxnard Union High School Dist*. Superior Ct. 1979. Injunction denied 1979. Ct. of Appeal 1979. Decision Dec. 1980, P. 169 Cal. Rptr. 763. Leave granted by California Supreme Ct. Jan. 1981. Suit on behalf of several hundred parents alleging that the school district is not fully complying with state regulations requiring school districts to survey the racial make-up of schools and to propose action if an imbalance is found. Herbert Nolin, 450 Rosewood Ave., Camarillo 93010, 805-659-4524.

[H2] *Miller* v. *La Habra School Dist*. Superior Ct. Mar. 1978. Settled. Sp. Ed. Suit to maintain child in his present educational program (in a classroom) pending a hearing to determine whether the classroom is an appropriate placement. Marilyn Holle; Western Law Center for the Handicapped, 849 S. Broadway, Los Angeles 90014, 213-972-0061.

[D8 E2] *Montoya* v. *Sanger Unified School Dist.* U.S. Dist. Ct. Oct. 1980. TRO granted Oct. 1980. 502 F.Supp. 209. Suit contesting suspension of students, alleging that a hearing was not given when extending short-term extensions, such that the total suspensions were over 10 days. Also alleging that the school suspension and expulsion policy discriminates against Hispanic students. Nancy Marsh, Fresno-Merced Counties Legal Services, 906 North Street, Fresno 93721, 209-441-1611.

[A2] *Moore* v. *Los Angeles Unified School Dist*. Superior Ct. 1979. Education malpractice suit. Martin Tachiki; Legal Aid Foundation of Los Angeles, 318 South Lincoln Blvd., Venice 91401, 213-870-4672.

[H1] *Mountain View Los Altos Union High School Dist.* v. *Riles*. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Contesting the use of special education funds for private schooling when the child is performing at grade level, and alleging that special education is not required because the child's main problem is behavioral. Jane E. Slenkovich, 19282 Steven Creek Blvd., Cupertino 95014, 408-253-9583.

[E1] NAACP v. Los Angeles Unified School Dist. U.S. Dist. Ct. Apr. 1981. Suit for desegregation of the Los Angeles schools. Joseph H. Duff, 4401 Crenshaw Blvd., Los Angeles 90043, 213-299-9107.

[E1] NAACP v. State of California. U.S. Dist. Ct. Nov. 1979. Class action. Decision Mar. 1980, D. Ct. of Appeal decision Dec. 1980, D. Review refused by the Calilfornia Supreme Ct. Mar. 1981. The constitutionality of Proposition 1, which forces the state to use de jure as opposed to de facto standards for determining segregation. Nancy B. Reardan, 2018 19th Street, Sacramento 95818, 916-441-0720.

[H6] Novato Unified School Dist. v. Richardson. Superior Ct. Apr. 1981. Sp. Ed. Contesting a hearing officer's decision that the school must pay for tutoring a child. Diane Smith; Breon, Calgani & Godino, 1539 5th Ave., San Rafael 94901, 415-459-3008.

[D6 D8] Oliver v. Los Angeles Unified School Dist. Superior Ct. 1978. Decision, D. Contesting procedures used to suspend a student; requesting that the event be expunged from the student's record. Ronald Rouda; Legal Aid Foundation of Los Angeles, 318 South Lincoln Blvd., Venice 91401, 213-870-4672.

[F1] Ortega v. Anaheim Union High School Dist. Superior Ct. Jan. 1981. Whether students have the right to publish an article and to distribute pamphlets on school property. Gary Williams, ACLU Foundation of Southern California, 633 South Shatto Place, Los Angeles 90005, 213-487-1720.

[R1 S1] Palmer v. California Interscholastic Federation. Superior Ct. Orange Co. Jan. 1981. Decision 1981, D. Review refused by Ct. of Appeal. Ineligibility for sports, after a public to private school transfer, is contested on First Amendment grounds. Thomas Brown, 14140 Beach Blvd., Westminster 92683, 714-892-3387.

[H3] Price v. Los Angeles Unified School Dist. Superior Ct. 1980. Settled. Sp. Ed. Suit to stop the school from closing a special education class, on the grounds that the school did not make new IEP's for the children (the closing required that children go to other schools). Martin Tachiki, Legal Aid Foundation of Los Angeles, 318 S. Lincoln Blvd., Venice 90291, 213-870-4672.

[P2] John Roe v. Riles. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Requesting continued placement in public school, based on least restrictive environment, after expulsion. Review of due process hearing decision. Sheila Brogna, Legal Services for Children, 149 9th St., San Francisco 94013, 415-863-3762.

[H1 H5] Tammy S. v. Walnut Valley School Dist. U.S. Dist. Ct. M.D. 1980. Sp. Ed. Requesting private placement and contesting graduation of the child. R. A. Bender, 16152 Beach Blvd., Suit 279, Huntington Beach 92647, 714-842-0010.

[E1] San Francisco NAACP v. San Francisco Unified School Dist. U.S. Dist. Ct. June 1979. Class action. Decision Sept. 1979, P. 484 F. Supp. 657. Whether the state and school district are segregating schools, staff, and faculty in the San Francisco area. Eva J. Paterson, San Francisco Lawyers Committee for Urban Affairs, 625 Market Street, Suite 1208, San Francisco 94105, 415-543-9444.

[H1] San Francisco Unified School Dist. v. Riles. Superior Ct. 1981. Sp. Ed. School district contests residential placement. Martha Scott; Breon, Calgani, Godino, 33 Market St., Suite 950, San Francisco 94105, 415-546-0400.

[H1] San Francisco Unified School Dist. v. State of California. Superior Ct. Jan. 1981. Decision Apr. 1981, P. Sp. Ed. The school appeals a hearing officer's decision granting residential placement. Patrick McGovern, P.O. Box 1803, Truckee 95734, 916-562-0655.

[O1] San Leandro Teachers Ass'n. v. Holden. Superior Ct. 1981. A student persuaded the school superintendent to raise her course grade, and the Teachers Association sued to have the original grade reinstated claiming violation of the teacher's academic freedom. Horace Wheatley, 3333 Telegraph Ave., Oakland 94609, 415-465-9095.

[R1] Segraves v. State of California. Superior Ct. 1979. Suit to prevent schools from teaching evolutionist theory as fact, claiming that it violates students' freedom of religion. Richard Turner; Turner and Sullivan, 520 Capitol Mall, Sacramento 95814, 916-441-1116.

[P1] Smith v. Riles. Superior Ct. 1978. Decision 1979, D. Decision 1980, D. Review denied by California Supreme Ct. 12 CHR 58. Sp. Ed. Suit for private placement, claiming that the hearing examiners were not impartial. Steve Wiman, Channel Counties Legal Services, Box 1228, Oxnard 93032, 805-487-6531.

[D9 B1] Sparks v. Madera School Dist. Superior Ct. 1977. Moot. Due process challenge to a student's transfer to a continuation school, alleging that the transfer was for disciplinary reasons. William McNeil; California Rural Legal Assistance, 2111 Mission St., Suit 401, San Francisco 94110, 415-864-3405.

[H2] Students of the California School for the Blind v. Riles. U.S. Dist. Ct. June 1980. Class action. Sp. Ed. Suit to have multi-handicapped students educated in a community setting rather than isolated in the school for the blind. Armando Menocal, Public Advocates, 1535 Mission St., San Francisco 94103, 415-431-7430.

[H1] Christopher T. v. San Francisco Unified School Dist. U.S. Dist. Ct. Dec. 1980. Class action. Sp. Ed. Whether the school district's reluctance to place a child in a residental placement violates federal law. Whether parents must give up custodial rights to obtain residential placement. (Non-school funds provide residential placement if the state obtains custody.) George Kannar; ACLU - National Children's Rights Project, 132 W. 42nd St., New York, N.Y. 10036, 212-944-9800.

[H7] Task v. Santa-Ana Compton Unified School Dist. Superior Ct. 1978. Settled. Sp. Ed. Suit for summer program. Terry Friedman; Western Center on Law & Poverty, 3535 West 6th St., Los Angeles 90020, 213-487-7211.

[E4] Tellez v. Rio School Dist. Superior Ct. Mar. 1979. Class action. Whether the school district is complying with the bilingual and bi-cultural requirements of state law. Robert Miller, Channel Counties Legal Services, Box 1228, Oxnard 93032, 805-487-6531.

[H1 P1] Temple City Unified School Dist. v. Riles. Superior Ct. Jan. 1981. Sp. Ed. Suit contesting hearing procedures, alleging that the hearing examiner denied right to present witnesses, right to cross examine witnesses, and right to have a transcript. Parents were seeking private placement. Whether new evidence can be admitted in the courts. John Wagner; Wagner and Wagner, 929 W. Olive Avenue, Burbank 91506, 213-841-1844.

[H1] Torrance Unified School Dist. v. Riles. U.S. Dist. Ct. Apr. 1981. Sp. Ed. The school contests the hearing examiner's decision awarding residential placement, claiming the handicap involved is not related to the child's education. Urrea C. Jones, Jr.; Jones and Matson, 180 South Lake Avenue, Suite 440, Pasadena 91100, 213-681-0265.

[O1] Valle v. Hufstedler. U.S. Dist. Ct. Dist. of Columbia 1980. Decision 1981, P. Suit to force the Department of Education to take enforcement steps (e.g. withholding money) for California's violation of Title I with respect to parent participation in developing migrant education programs. Roger Rosenthal, Migrant Legal Action Center, 806 15th Street, Washington, D.C. 20005, 202-347-5100.

[D5] Varga v. San Diego Unified School Dist. U.S. Dist. Ct. 1979. Settled. Contesting strip search of a class of high school students. Two girls seek damages for search in open classroom. Thomas Adler, 755 Union St., San Diego 92101, 714-236-9381.

[D4] Vega v. Salinas Union High School. Superior Ct. 1978. Settled. Damage action for physical abuse in discipline. Luis Jarmallio; El Paso Legal Assistance, 109 North Oregon Street, El Paso, Texas 79901, 915-533-1942.

[H1] Tracy W. v. Anaheim School Dist. U.S. Dist. Ct. M.D. 1980. Sp. Ed. Suit for private placement of child. R. A. Bender, 16152 Beach Blvd., Suit 279, Huntington Beach 92647, 714-842-0010.

[S2] Ward v. Richmond Unified School Dist. Superior Ct. 1981. Preliminary injunction 1981. Student contests ineligibility under the academic requirements for sports (under the one-F rule). Caulbus McBride, 1530 Solano Avenue, Vallejo 94590, 707-553-9062.

[F2] Wexner v. Anderson Union High School Dist. Superior Ct. Sept. 1978. Decision Nov. 1980, P. Plaintiff seeks return of books to school after some parents had found the books objectionable and had them removed. Franklin S. Cibula, 743 Tehama St., Redding 96001, 916-241-2734.

[H1] William D. v. Riles. U.S. Dist. Ct. Apr. 1981. Sp. Ed. Suit for residential placement. Review of due process hearing decision. Sheila Brogna, Legal Services for Children, 149 9th St., San Francisco 94103, 415-863-3762.

[D1 D8] Woods v. Fresno Unified School Dist. Superior Ct. Apr. 1981. Sp. Ed. Student expulsion is contested on the grounds that the school failed to comply with state law requirements that schools must determine that the student will be a continuing danger and that there are no alternative correctional methods other than expulsion. Nancy Marsh, Legal Services Fresno-Merced Counties, 906 North Street, Fresno 93721, 209-441-1611.

[H7] Yarber v. Riles. Superior Ct. 1978. Class Action. Settled. Sp. Ed. Suit for a summer school program. Daniel J. Fagan, 4654 Sunnyside Dr., Riverside 92506, 714-683-7144.

[E5] Yoder v. Leigh High School. Superior Ct. 1980. Injunction granted. Male student wished to take a male date to the prom. Catherine Wiehe, 485 Piercy Rd., San Jose 95138, 408-226-7421.

COLORADO

[D8] Armenta v. South Conejos School Dist. RE-10. Dist. Ct. Conejos Co. Apr. 1978. Injunction, then settled. 12 CHR 501. ELB 734. Contesting the expulsion of a student, claiming improper notice of hearing and lack of opportunity to cross-examine. Norman Aaronson, Legal Aid and Defender Program, Civil Division, University of Colorado School of Law, Fleming Law Building, Boulder 80309, 303-492-8126.

[S2] Beatrice v. Colorado High School Activities Ass'n. Dist. Ct. Los Animas Co. 1978. Decision 1978, D. Suit challenging the transfer rule from parochial school to public school. Dennis Malone, First National Bank Building, Trinidad 81082, 303-846-4428.

[H8] Casement v. Douglas Co. School Dist. Dist. Ct. Douglas Co. July 1979. Decision Oct. 1979, P. Colorado Supreme Ct. Settled. 13 CHR 695. Sp. Ed. Whether the state must provide transportation for handicapped students attending non-public schools, when the local district did not have facilities to provide appropriate education. Bruce Bernstein, Legal Center for Handicapped Citizens, 1060 Bannock, Denver 80204, 303-573-0542.

[B6] Castillo v. South Conejos School Dist. Dist. Ct. Conejos Co. Apr. 1979. Decision Apr. 1979, P. ELB 1017. 13 CHR 302. Whether a student who graduates from high school after three years is entitled to attend graduation ceremonies. Douglas George; Colorado Rural Legal Services, P.O. Box 569, Alamosa 81101, 303-589-4993.

[B1 H1] Colorado Ass'n. for Retarded Citizens v. Frazier. U.S. Dist. Ct. May 1980. Class action. 14 CHR 475, 864. Sp. Ed. Parents of children in the state home and training school sue because educational services were denied by the district where the home is located and the districts where the parents live; the schools claim that the children are not residents in their respective districts for education purposes. Chester R. Chapman; Legal Center for Handicapped Citizens, 1060 Bannock, Denver 80204, 303-573-0542.

[D3] Ellington v. Schreiner. Dist. Ct. Boulder Co. 1979. TRO denied. Withdrawn. Whether the principal has authority to declare a student ineligible for sports for misconduct occurring during summer vacation. Michael R. Enwall, 2429 Broadway, Boulder 80302, 303-447-2212.

[F6 R1] Gunnison Watershed School Dist. RE-1-J v. Funk. Dist. Ct. Gunnison Co. Dec. 1980. Suit by school district for compulsory school attendance because the home study program was not approved by the Department of Education; the program was put out by a church, which claims that state regulation of such programs violates the First Amendment. Harrison F. Russell, P.O. Box 179, Gunnison 81230, 303-641-3326.

[F6] Gunnison Watershed School Dist. RE-1-J v. Cox. Dist. Ct. Gunnison Co. Dec. 1980. Decision Apr. 1981, P. Suit by school district to enforce compulsory school attendance because the parents' home study program was not approved by the state. Harrison F. Russell, P.O. Box 179, Gunnison 81230, 303-641-3326.

[D2] Gutierrez v. Otero Co. School Dist. R-1. Dist. Ct. Otero Co. Mar. 1978. Decision May 1978, P. Ct. of Appeals 1978. Decision Oct. 1978, P. 585 P.2d 935. Whether a school can deny academic credit because of seven unexcused absences. Norman Aaronson, Steve Alcala and Bruce Boreson; Legal Aid and Defender Program, Civil Division, University of Colorado School of Law, Fleming Law Building, Boulder 80309, 303-492-8126.

[D8] Jaramillo v. Centennial School Dist. Dist. Ct. Costilla Co. Nov. 1980. Decision Dec. 1980, P. Whether the student can be expelled when not told of the charge against him before the school board hearing; whether the school board's vote must be public. Douglas George; Colorado Rural Legal Services, P.O. Box 569, Alamosa 81101, 303-589-4993.

[E4] La Junta Bilingual Bicultural Community Committee v. Colorado State Bd. of Ed. Dist. Ct. Denver Co. Aug. 1977. ELB 484. Settled. Contesting a school district's bilingual program because the views of the plaintiff committee members were not considered when the district adopted the plan; requesting the state to terminate funding for the school's bilingual program. Bruce Boreson, 1417 Main St., Alamosa 81101, 303-589-9615.

[H5 P2] Lopez v. Salida School Dist. Dist. Ct. Denver Co. July 1977. Settled. Sp. Ed. Suit for compensatory education past 21 years old because child had been expelled from school without proper procedures. Norman Aaronson, Legal Aid and Defender Program, Civil Division, University of Colorado School of Law, Fleming Law Building, Boulder 80309, 303-492-8126.

[E7] Lujan v. Colorado State Bd. of Ed. Dist. Ct. Denver Co. Dec. 1977. Class action. Decision Mar. 1979, P. Colorado Supreme Ct. 1979. ELB 618, 11 CHR 824, 13 CHR 205. Contesting the disparities in school financing, arguing equal protection and state constitutional guarantee of a uniform system of public schools. John McDermott, 1801 Century Park E, 25th Floor, Los Angeles, CA 90067, 213-556-2000 and Joseph Bellipanni, 950 17th St., Denver 80202, 303-892-9400.

[R1 S2] Powers v. St. Vrain. Dist. Ct. Boulder Co. 1977. TRO denied. Withdrawn. Suit alleging that the transfer rule for sports eligibility violates the First Amendment when applied to student moving from a religious to a public school. James F. Lusero, 828 Kimbark Street, Longmont 80501, 303-776-5900.

[B1] Rivera v. Williams. Dist. Ct. Pueblo Co. Apr. 1980. Withdrawn. Suit by student living with her grandmother to be allowed to attend schools without tuition, alleging she moved from her parents to care for the grandmother. Charles Johnson; Pueblo Co. Legal Services, Colorado Building, Pueblo 81003, 303-545-6686.

[H1] Williamson v. Colorado Dept. of Ed. Dist. Ct. Denver Co. Oct. 1980. Sp. Ed. Whether a handicapped child should remain in a private school; whether the public school can provide proper facilities. Timothy Philibosian, 2201 Kipling St., Suite G-2, Denver 80215, 303-232-0766.

CONNECTICUT

[H0] Tina A. v. Shedd. U.S. Dist. Ct. July 1980. Class action. Agreed order as to these plaintiffs Sept. 1980. Sp. Ed. Whether the Department of Education should appoint surrogate parents for wards of the state and for children whose parents are unknown or unavailable. Richard L. Tenenbaum; Connecticut Legal Services, 33 S. Main St., South Norwalk 06854, 203-853-3070 and Meryl Hershkowitz, Connecticut Legal Services, 61 Field Street, Waterbury 06702, 203-756-8074.

[H1] Atkins v. State of Connecticut. U.S. Dist. Ct. Jan. 1980. Sp. Ed. Parents appealing decision of the hearing officer who found Greenwich public schools day program an appropriate placement. Request is for residential placement in which parents have unilaterally placed child. Howard M. Klebanoff; Rome, Case, Donelly, Kenelly & Klebanoff, 664 Farmington Ave., Hartford 06105, 203-549-6400.

[P2] Blue v. New Haven Bd. of Ed. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Whether expulsion of a handicapped child is a change of placement requiring a due process hearing in accordance with 94-142. Sherry Bellamy, New Haven Legal Assistance Association, Inc., 399 Temple St., New Haven 06511, 203-777-4838.

[H1] Brookfield Bd. of Ed. v. State Bd. of Ed. Superior Ct. 1979. Sp. Ed. Authority of hearing officer to award retroactive payment to parents for unilateral residential placement. Thomas N. Sullivan; Sullivan, Lettich and Schoen, 646 Prospect Ave., Hartford 06105, 203-233-2141.

[B1] Buckley v. Hutchinson. Superior Ct. Sept. 1978. Consent Judgment 1979. Challenge to residency requirements of local board of education. Meryl L. Hershkowitz, Connecticut Legal Services, 85 Central Ave., Waterbury 06702, 203-756-8074.

[D1 D2] Campbell v. New Milford Bd. of Ed. Superior Ct. Feb. 1980. Certified as class action Aug. 1980. Challenge to school policy of grade reduction for absences, and whether use of suspension as disciplinary measure is ultra vires. Martha Stone, Connecticut Civil Liberties Union, 57 Pratt St., Hartford 06103, 302-247-9823.

[P1] Campochiaro v. Califano. U.S. Dist. Ct. 1978. Injunction May 1978. ELB 624, 721, 13 CHR 397. Sp. Ed. Parents contest due process procedures used in an educational placement, including the use of school board members as hearing examiners. Helen Z. Pearl; Weber, Marshall & Thompson, 24 Cedar St., New Britain 06052, 203-225-9463.

[H1] Close v. Wallingford Bd. of Ed. Superior Ct. Oct. 1980. Settled. Sp. Ed. Seeking appropriate placement in a residential facility while appeal by school board (Wallingford Bd. v. State Bd.) was pending. Stephen Wizner, Jerome N. Frank Legal Services Organization, Yale Law School, Box 401-A Yale Station, New Haven 06520, 203-436-2210.

[H3 P1] Concerned Parents & Students of Project Focus v. Shelton Bd. of Ed. U.S. Dist. Ct. Sept. 1980. Decision Nov. 1980, M. Sp. Ed. Suit seeking reinstatement of an alternative high school program. Whether plaintiff has standing to sue. Whether change in location of schooling for handicapped children constituted a change in "educational placement." Sherry Bellamy, New Haven Legal Assistance Association, 399 Temple St., New Haven 06511, 203-777-4838.

[H6 H9] Connecticut Association for Retarded Citizens v. State Bd. of Ed. U.S. Dist. Ct. 1977. Class action. Consent decree Dec. 1978. Sp. Ed. Requesting special education for retarded children. Whether the state government or local schools must provide that education. Howard M. Klebanoff, 644 Farmington Avenue, Hartford 06105, 203-549-6400.

[R2] Cromwell Property Owners Ass'n. v. Toffolon. U.S. Dist. Ct. 1978. Decision Aug. 1980, D. 495 F.Supp. 915. Constitutionality, under First Amendment, of state statute authorizing and financing bussing of children to religious schools in contiguous district. Martha Stone, Connecticut Civil Liberties Union, 57 Pratt St., Hartford 06103, 302-247-9823.

[H8] Dubois v. State Dept. of Ed. Superior Ct. Fairfield Co. 1980. Decision May 1980, D. Sp. Ed. Whether action for transportation expenses could be maintained where appeal to Department of Education remained open pending psychological evaluation of handicapped student. Defense Attorney is Charles Gooley, Ass't Att'y General, P.O. Box 120, Hartford 06101, 203-566-4880.

[H1] Erdman v. State of Connecticut. U.S. Dist. Ct. April 1980. Preliminary injunction Sept. 1980. EHLR 552:218. CCA 2 Oct. 1980. Sp. Ed. Challenge to state policy that room and board, for handicapped in residential placement, is a non-educational expense that the state is not obligated to pay. Hollace P. Brooks; Rome, Case, Donelly, Kenelly & Klebanoff, 664 Farmington Ave., Hartford 06105, 203-549-6400.

[H6] Fairfield Bd. of Ed. v. State Bd. of Ed. Superior Ct. Bridgeport Co. 1977. Decision 1977, P. Sp. Ed. Adequacy of a special education program for a handicapped child. Local board appeals decision of state-board reversing hearing officer. Noel R. Newman; Mellitz, Krentzman & Newman, 79 South Benson Rd., Fairfield 06430, 203-259-5300.

[H1] Feller v. State Bd. of Ed. U.S. Dist. Ct. 1980. Sp. Ed. Whether a proposed private placement is for educational or non-educational purposes. Jerome N. Frank Legal Services Organization, P.O. Box 401-A, Yale Station, New Haven 06520, 203-436-2210.

[H1] Feller v. State Bd. of Ed. U.S. Dist. Ct. 1980. Whether residential placement of autistic child is for educational reasons, such that school board must pay. Stephen Wizner, Jerome N. Frank Legal Services Organization, Box 401-A Yale Station, New Haven 06520, 203-436-2210.

[H1] Flavin v. State Bd. of Ed. Superior Ct. Stanford Co. 1980. Sp. Ed. Parents appeal a hearing officer decision that the Greenwich public schools day program is appropriate. Request is for day placement in which parents have unilaterally placed their child. Hollace P. Brooks; Rome, Case, Donelly, Kennelly & Klebanoff; 664 Farmington Ave., Hartford 06105, 203-549-6400.

[R1] Francis v. Hartford Bd. of Ed. U.S. Dist. Ct. 1978. Consent decree 1978. A member of the Rastafferian religion was suspended for wearing a religious cap on her head. Martha Stone, Connecticut Civil Liberties Union, 57 Pratt St., Hartford 06103, 302-247-9823.

[F5] Gozzo v. Quigley. Superior Ct. Hartford-New Britain Co. Mar. 1978. Temporary injunction Mar. 1978. Moot. Whether refusal of health director to approve innoculation certificates deprived students of right to education under state constitution and of equal educational opportunity and of a property right, without due process. David T. Ryan; Robinson, Robinson & Cole, 799 Main St., Hartford 06103, 203-278-0700.

[F5] Gozzo v. Town of Rocky Hill. Superior Ct. Hartford-New Britain Co. Aug. 1979. Damages for health director's negligence in performing ministerial duties and action for attorneys fees, following a successful case based on due process - Gozzo v. Quigley, supra. David T. Ryan; Robinson, Robinson & Cole, 799 Main St., Hartford 06103, 203-278-0700.

[H1] Greenwich Bd. of Ed. v. State Bd. of Ed. & Miller. Superior Ct. Stanford Co. July 1980. Withdrawn. Sp. Ed. Appeal of hearing officer's decision that private school was appropriate. Ellen S. Boer, Assistant Town Attorney, Legal Dept. Town Hall, Greenwich 06830, 203-622-7878.

[H1] Greenwich Bd. of Ed. v. State Bd. of Ed. & Smiles. Superior Ct. Stanford Co. Aug. 1980. Sp. Ed. Appeal of hearing officer's decision that residential placement is appropriate. Ellen S. Boer, Assistant Town Attorney, Legal Dept. Town Hall, Greenwich 06830, 203-622-7878.

[H1] Koch v. State Bd. of Ed. Superior Ct. Hartford Co. 1980. Sp. Ed. Whether the school board should pay any part of the cost of out-of-state residential placement made unilaterally by parents. Hollace P. Brooks; Rome, Case, Donelly, Kenelly & Klebanoff, 664 Farmington Ave., Hartford 06105, 203-549-6400.

[H6 H0] Loughran v. Flanders. U.S. Dist. Ct. 1977. Dismissed Apr. 1979. 470 F. Supp. 110. Sp. Ed. Whether 94-142 gives an implied private remedy for damages. Igor I. Sikorsky, Sr., 111 Pearl St., Hartford 06103, 203-527-1854.

[H1] Jose M. v. Shedd. U.S. Dist. Ct. Nov. 1980. Settled Feb. 1981. 14 CHR 1297. Sp. Ed. Plaintiff requests residential placement. Conflict between state departments. Sue Ann Shay, Neighborhood Legal Services, 1229 Albany Ave., Hartford 06112, 203-278-6850.

[H1] Richard M. v. Shedd. U.S. Dist. Ct. 1980. Sp. Ed. Necessity for 24 hour residential placement. University of Connecticut Legal Clinic, 1800 Asylum Avenue, West Hartford 06117, 203-523-4841.

[H1] Bd. of Ed. Town of Manchester v. Connecticut State Bd. of Ed. Superior Ct. 1977. Decision, D. State Supreme Ct. Decision Feb. 1980, D. 427 A.2d 846. Sp. Ed. Whether local school board had to pay costs of private schooling (where, after long delay, parents put child in private school, which placement was approved by State Board of Education). Thomas J. Prior, 229 E. Center St., Manchester 06040, 203-646-6130.

[H1] Manchester Bd. of Ed. v. State Bd. of Ed. Dec. 1978. Sp. Ed. Challenge to hearing officer's decision that all residential costs for handicapped child were for educational reasons. Lawrence J. Campane; Sullivan, Lettick & Schoen, 646 Prospect Ave., Hartford 06105, 203-233-2141.

[H1] Martin v. Norwalk Bd. of Ed. U.S. Dist. Ct. Dec. 1980. Sp. Ed. Whether residential placement of autistic child is for educational reasons (school board pays) or non-educational reasons. Stephen Wizner, Jerome N. Frank Legal Services Organization, Yale Law School, Box 401-A Yale Station, New Haven 06520, 203-436-2210.

[H1] Menegas v. Elizabeth O'Hara Walsh School. Superior Ct. Danbury Co. Aug. 1980. Preliminary injunction Nov. 1980. Sp. Ed. Suit to force school to review admission of autistic child. Whether state policy of prohibiting placements beyond one year deprives child of free and appropriate education. Whether decision of PPT recommending that child remain is binding on private school. David S. Grossman, 304 Federal Road, Brookfield 06804, 203-775-2518

[H1] Meriden Bd. of Ed. v. Dept. of Ed. Superior Ct. New Haven Co. Dec. 1980. Sp. Ed. Appeal by local school board from state hearing decision requiring board to pay full cost of residential placement for emotionally disturbed retarded child. Thomas N. Sullivan; Sullivan, Lettick & Schoen, 646 Prospect Ave., Hartford 06105, 203-233-2141.

[H1] New Haven Bd. of Ed. v. Teacher. Superior Ct. New Haven Co. Aug. 1980. Settled. Sp. Ed. Appropriate placement of handicapped child. Lubbie Harper, Jr., Friedler & Kaplan, 956 Chapel St., New Haven 06511, 203-772-1810.

[H1] Norwalk Bd. of Ed. v. Festa. Superior Ct. Sept. 1980. Sp. Ed. Appeal of hearing officer's decision that residential placement of handicapped child was for educational purposes. Frank W. Murphy; Tierney, Zullo, Flaherty & Hauser, P.O. Box 2028, Belden Station, Norwalk 06850, 203-853-7000.

[H4 H6 P1] P. 1 v. Shedd. U.S. Dist. Ct. Feb. 1978. Class action. Consent decree Mar. 1979. EHLR 552:236. ELB 727, 892, 928. 13 CHR 109, 528, 962. Sp. Ed. Alleged failure of school board and state education department to provide free and appropriate education under 94-142 and 504 and State statutes, including failure to develop I.E.P.s, failure to implement recommendations, failure to hold due process hearings, improper classifications, and failure by the state to monitor local practices. Diana Pullin, Center for Law and Education, Inc., 6 Appian Way, Cambridge, Massachusetts 02138, 617-495-4666.

[H1 H9] Michael P. v. Maloney. U.S. Dist. Ct. Oct. 1978. Class action. Consent decree Mar. 1979. EHLR 551:155. ELB 922, 12 CHR 504. 13 CHR 109. Sp. Ed. Whether the state or the local school district is responsible for paying costs of residential placement of handicapped child. Also whether parents should be assessed part of the cost of residential placement. Margaret Moriarity, Neighborhood Legal Services, 1229 Albany Ave., Hartford 06112, 203-278-6850.

[H1] Papacoda v. Clinton Bd. of Ed. U.S. Dist. Ct. Oct. 1980. Sp. Ed. Appeal of hearing officer's decision that residential placement was not for educational reasons. Also whether Connecticut statute 10-76 is in conflict with 94-142 and 504 as to payment of residential placement costs. James D. Reardon, 102 Main St., Old Saybrook 06475, 203-388-4655.

[S2] Pirie v. Conn. Interscholastic Ath. Conf. Superior Ct. Apr. 1977. Decision Sept. 1980, D. Whether the right of a student to participate in interscholastic athletics is an interest protected by the due process clause. Harry B. Heller; Heller, Heller & McCoy, 736 Norwich-New London Turnpike, Uncasville 06382, 203-848-9289.

[H1 P1 P2] Luis R. v. Canzonetti. U.S. Dist. Ct. Apr. 1979. Partial summary judgment, June 1979, D. Settled. ELB 937. Sp. Ed. Failure to provide individual program and appropriate residential education for handicapped child; also challenges disciplinary procedures for handicapped. The court ruled that the plaintiff must exhaust administrative remedies for the special education claims. Deborah S. Freeman, Univ. of Conn. School of Law Clinic, 1800 Asylum Ave., West Hartford 06117, 203-523-4841 ext. 387.

[H1] Redding Bd. of Ed. v. State Bd. of Ed. June 1978. Sp. Ed. Authority of hearing board to award retroactive payment for unilateral residential placement by parents. Thomas N. Sullivan; Sullivan, Lettick and Schoen, 646 Prospect Ave., Hartford 06105, 203-233-2141.

[H1] Region #18 Bd. of Ed. v. Bd. of Ed. Superior Ct. New London Co. Jan. 1980. Sp. Ed. Challenging hearing officer's decision that placement in a private facility by the parents, without consultation with the school, was appropriate. Thomas F. McGarry; McGarry, Prince, McGarry & Marrion, P.O. Box 910, New London 06320, 203-443-1818.

[S3 S4] Robinson v. Connecticut Interscholastic Ath. Conference. Superior Ct. New London Co. 1980. Due process on suspension and eligibility to take part in athletic event. Ralph P. Dupont; Dupont and Tobin, P.O. Box 58, New London 06320, 203-447-0335.

[P2] Sage v. Peebles. U.S. Dist. Ct. Jan. 1980. TRO Jan. 1980. Sp. Ed. Challenge to attempted expulsion, alleging that school had missed identifying child as handicapped and that an IEP was needed. Richard L. Tenenbaum, Connecticut Legal Services, 33 S. Main St., South Norwalk 06854, 203-853-3070.

[F4] Shedd v. Freedom of Information Commission. Common Pleas Ct. Hartford Co. 1977. Decision Feb. 1978, P. Appeal from defendant's order to supply records used for data in the Early Leavers Report of the Hartford Board of Education. Robert W. Garvey, Assistant Attorney General, 30 Trinity Street, Hartford 06115, 203-566-4990.

[H1 H4] Shelton Bd. of Ed. v. State Bd. of Ed. Superior Ct. Jan. 1981. Sp. Ed. Whether handicapped child's primary disability was a learning disability or an emotional disability. Whether full residential placement is for educational purposes. Lorraine Osborne; Winnick, Vine & Welch, 70 Platt Rd., Shelton 06484, 203- 929-6351.

[H1] Simsburg Bd. of Ed. v. State Bd. of Ed. Superior Ct. Hartford Co. June 1978. Sp. Ed. Whether the hearing officer exceeded his authority in ordering retroactive reimbursement for unilateral private placement. Thomas N. Sullivan; Sullivan, Lettick and Schoen, 646 Prospect Ave., Hartford 06105, 203-233-2141.

[P2] Stuart v. Nappi. U.S. Dist. Ct. 1977. Class action. Preliminary injunction Jan. 1978. 443 F.Supp. 1235. Sp. Ed. Alleged lack of due process on attempted expulsion of handicapped child. Maintenance of status quo during administrative procedures. Richard McCarthy, Connecticut Legal Services, Inc., P.O. Box 8400, Bridgeport 06601, 203-336-3851.

[H6] Torres v. Shedd. U.S. Dist. Ct. Feb. 1981. Preliminary injunction Mar. 1981. Sp. Ed. Charge that school was not giving handicapped child individual instruction in accordance with IEP. Richard McCarthy, Connecticut Legal Services, P.O. Box 8400, Bridgeport 06601, 203-336-3851.

[H6] Peter W. v. Shedd. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Action under 94-142 and the 14th Amendment alleging denial of educational services to learning-disabled child in a parochial school. Possible conflict between federal and state Handicapped Acts in regard to private schools. Meryl L. Hershkowitz, Connecticut Legal Services, 85 Central Ave., Waterbury 06702, 203-756-8074.

[H1] Wallingford Bd. of Ed. v. State Bd. of Ed. Superior Ct. New Haven Co. 1979. Sp. Ed. Challenge to authority of hearing officer to award reimbursement to parents who unilaterally placed child in residential facility. Peter A. Janus; Siegel, O'Connor & Kainen, 60 Washington St., Hartford 06106, 203-547-0550.

[H1] Wallingford Bd. of Ed. v. State Bd. of Ed. and Close. Superior Ct. New Haven Co. 1979. Decision May 1980, M. 418 A. 2d 961. Sp. Ed. On appeal from State hearing officer's decision, defendant moves for order to compel plaintiff to comply with the decision. Whether the state can apply to the court for injunctive relief. Peter A. Janus; Siegel, O'Connor & Kainen, 60 Washington St., Hartford 06106, 203-547-0550.

[H1 H9] West Hartford Bd. of Ed. v. State Bd. of Ed. Superior Ct. Hartford Co. 1979. Sp. Ed. What part of cost of residential placement should be paid for by school board, i.e., educational v. non-educational costs. Arnold H. Rutkin; Harrigan, Hurwitz, Sagarin & Rutkin, P.C., 147 N. Broad St., Milford 06460, 203-877-6071.

[H1] Westport Bd. of Ed. v. State Bd. of Ed. Superior Ct. Aug. 1980. Sp. Ed. Whether school board should pay costs of residential placement. Frederick S. Ury; Sherwood, Garlick & Cowell, P.O. Box 529, Westport 06880, 203-227-9585.

[H1] Windsor Bd. of Ed. v. State Bd. of Ed. Superior Ct. Hartford Co. Nov. 1978. Sp. Ed. Appeal from hearing officer's decision that student needed special education outside public schools. Subsequent hearing officer decided the other way. Vincent W. Oswecki, Jr.; O'Malley, Deneen, Messina & Oswecki, P.O. Box 504, Windsor 06095, 203-688-8505.

DELAWARE

[H1] August v. Bd. of Ed. Superior Ct. New Castle Co. 1979. Sp. Ed. Whether school system should provide placement in private school. Edwin A. Tos, 1218 N. Market St., Wilmington 19801, 302-575-1189.

[H1 P1] Biasotto v. Madden. U.S. Dist. Ct. 1980. Sp. Ed. Whether the family must be reimbursed for cost of private placement when the school is not on the approved list. Whether attorney fees should be awarded. Whether a state education agency employee can be the hearing officer. Whether the district and state decisions should be more timely. Whether the state agency can overrule the review officer's decision. Brian Hartman, Developmental Disabilities Protection and Advocacy System, Community Legal Aid Society, 913 Washington St., Wilmington 19801, 302-575-0660.

[D4] Boyce v. Ryan. Superior Ct. Kent Co. 1977. Settled. Damage suit against a coach for physical punishment of a student (for smoking). R. Brandon Jones, Jr.; Hudson, Jones & Jaywork, 225 S. State St., Dover 19901, 302-734-7401.

[H1 P1] Grymes v. Madden. U.S. Dist. Ct. 1978. Decision May 1979, P. EHLR 552:183. Sp. Ed. Whether the burden of proof at the hearing level is on the school to prove its program is adequate. Whether the plaintiffs should be reimbursed for private schooling under the "pendency clause." Brian Hartman, Developmental Disabilities Protection and Advocacy System, Community Legal Aid Society, 913 Washington St., Wilmington 19801, 302-575-0660.

[H1 P1] Grymes v. State Bd. of Ed. U.S. Dist. Ct. 1979. Decision Jan. 1981, P. EHLR 552:279. Sp. Ed. Whether the schools must reimburse cost of private schooling. Whether hearings must be held promptly. Whether the use of state education employees as hearing officers violates the impartiality requirements. Whether the parties should have an opportunity to present evidence at the state-level hearing. Brian Hartman, Developmental Disabilities Protection and Advocacy System, Community Legal Aid Society, 913 Washington St., Wilmington 19801, 302-575-0660.

[H1] Kruelle v. Biggs. U.S. Dist. Ct. Oct. 1979. Decision June 1980, P. 489 F. Supp. 169. CCA 3 1980. Decision Apr. 1981, P. Sp. Ed. Appropriate education for retarded child - whether public schools will pay for residential placement. Pro se. Defense attorney is Roger Akin, Deputy Attorney General, Department of Justice, Wilmington 19801, 302-571-3849.

[S1] Peoples v. St. Mark's High School. Chancery Ct. New Castle Co. 1978. TRO denied then moot. Ineligibility for sports after change of residence. Robert Coonin, 1218 Market Street, Wilmington 19801, 302-652-3155.

[H1] Pryor v. Biggs. Superior Ct. New Castle Co. 1978. Settled. School district contests hearing officer decision that the child should have private placement. Whether the superior court or the family court has jurisdiction. Edward Sacks (address unknown).

[P1] Rollison v. Biggs. U.S. Dist. Ct. Apr. 1980. Sp. Ed. Due process: Whether the hearing officer on review can be an employee of Department of Instruction. Alleged failure to make finding of fact. Alleged failure to allow parties to make arguments before review officer. Douglas A. Shachtman, 1823 Lancaster Ave., Wilmington 19805, 302-655-1800.

[R5] Salesianum School v. State Bd. of Ed. Superior Ct. Feb. 1980. Decision June 1980, D. Settled. Suit by a church high school to join the public school athletic league; procedural due process--whether the athletic conference must state reasons for refusing the school's request to join. Francis Trzuskowski; Trzuskowski, Kipp, Kelleher, and Pearce, P.O. Box 429, Wilmington 19899, 302-571-1782.

[R5] Valencia v. Blue Hen Conference. U.S. Dist. Ct. Mar. 1979. Class action. Decision Aug. 1979, D. CCA 3 1979. Decision 1980, M. 476 F. Supp. 809. Settled after remand to Dist. Ct. Whether a church high school can be denied access to the public school sports league. Thomas Neuberger; Bader, Dorsey and Kreshtol, P.O. Box 2202, Wilmington 19899, 302-656-9850.

DISTRICT OF COLUMBIA

[O1] Alexander v. Harris. U.S. Dist. Ct. 1979. Dismissed May 1980. Challenge to administrative procedures for handling parental complaints under Title I of Elementary and Secondary Education Act. Stuart Schmitz, Lawyers Committee for Civil Rights Under Law, Suite 526, 733 15th St., N.W., Washington, D.C. 20005, 202-628-6700.

[H1] Durante B. v. D.C. Bd. of Ed. U.S. Dist. Ct. Nov. 1979. Preliminary injunction. Sp. Ed. Suit seeking residential placement. J.

Dennis Doyle, Antioch School of Law, 1624 Crescent Place, Washington D.C. 20009, 202-727-9877.

[H1] Beaulieu v. D.C. Bd. of Ed. U.S. Dist. Ct. 1981. Sp. Ed. Parents desire placement in a private school other than the school specified by the hearing officer. Elam Lantz, Antioch School of Law, Juvenile Clinic, 1624 Crescent Place, Washington D.C. 20009, 202-265-9500.

[H2 P1] Brown v. D.C. Bd. of Ed. U.S. Dist. Ct. 1979. Decision Sept. 1979, D. EHLR 551:101. ELB 927. Sp. Ed. Whether a due process hearing was required when five deaf students were removed from a special education program in a regular school to a separate special education school building. Dianne Shisk, National Center for Law and the Deaf, 7th and Florida Ave., N.E., Washington, D.C. 20002, 202-651-5454.

[H1] Bergman v. D.C. Bd. of Ed. U.S. Dist. Ct. June 1979. Preliminary injunction. Sp. Ed. Residential placement desired. Mathew Bogin, 1346 Connecticut Ave., Washington, D.C. 20036, 202-463-6668.

[H1] Capello v. D.C. Bd. of Ed. U.S. Dist. Ct. 1979. Decision Jan. 1980, P. EHLR 551:190. ELB 885. 14 CHR 54. Sp. Ed. Residential placement for autistic child past the age of 18. Mathew Bogin, 1346 Connecticut Ave., Washington, D.C. 20036, 202-463-6668.

[H1] Cox v. Brown. U.S. Dist. Ct. 1980. Preliminary injunction Nov. 1980. 498 F. Supp. 823. Sp. Ed. Whether the Department of Defense should pay for private residential placement in the United States for two handicapped children of parents stationed in Belgium where the Department could not provide the special education required. Also, whether the Department can use the "pendency" doctrine to forestall a preliminary injunction. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666, and Mathew Bogin, 1346 Connecticut Ave., Washington, D.C. 20036, 202-463-6668.

[H1] Andre D. v. Berry. Superior Ct. July 1979. Decision Dec. 1979, P. 107 Wash. L. R. 235 (p. 2133). Sp. Ed. Action filed against the city to provide residential placement for education of a child who is before the courts in a juvenile proceeding. J. Dennis Doyle, Antioch School of Law, 1624 Crescent Place, Washington D.C. 20009, 202-727-9877.

[H1 P1] Dixon v. D.C. Bd. of Ed. U.S. Dist. Ct. 1981. TRO. Sp. Ed. Whether parents can recommend specific placements in a due process hearing. Michael J. Eig; Eig & Smith, 1730 M Street N.W., Washington D.C. 20036, 202-466-8666.

[H8] Fells v. D.C. Bd. of Ed. I. U.S. Dist. Ct. Nov. 1981. Settled. EHLR 552:302. Sp. Ed. Suit for more reliable bus transportation for handicapped children. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[HO F4] Fells v. D.C. Bd. of Ed. II. U.S. Dist. Ct. Apr. 1981. Settled. Sp. Ed. Suit to obtain the student's records from his institution, under 94-142 and the Buckley Amendment. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[H1] Foster v. D.C. Bd. of Ed. U.S. Dist. Ct. Mar. 1981. Sp. Ed. Suit for private placement. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[Hl Pl] Hamilton v. D.C. Bd. of Ed. U.S. Dist. Ct. 1979. Sp. Ed. Tuition reimbursement and legality of due process hearing. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[H4] Hill v. D.C. Bd. of Ed. U.S. Dist. Ct. Jan. 1981. Moot. Sp. Ed. Suit to force the school to evaluate an institutionalized child and prepare an IEP. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[Hl Pl] Hunter v. D.C. Bd. of Ed. U.S. Dist. Ct. 1980. Class action. Sp. Ed. Whether the hearing examiner can specify a particular private placement that was not recommended by the schools. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[Hl] Johnson v. D.C. Bd. of Ed. Superior Ct. Decision, P. Sp. Ed. Proper educational setting for child seeking private placement. Michael J. Eig; Eig & Smith, 1730 M Street N.W., Washington D.C. 20036, 202-466-8666.

[Hl] Johnson v. D.C. Bd. of Ed. U.S. Dist. Ct. 1980. Decision Apr. 1980, P. 14 CHR 475. Sp. Ed. Proper education setting for student needing private residential care. Plaintiff brought suit in federal court after the city failed to provide placement ordered by the state court. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[S2] Jones v. D.C. School Bd. Oct. 1979. Decision 1979, D. Suit contesting ineligibility for sports after a poor attendance record in school. Franklin Kersey, 716 E. Street S.E., Washington D.C. 20003, 202-232-3150.

[H6] Klatt v. D.C. Bd. of Ed. U.S. Dist. Ct. June 1979. Settled. Sp. Ed. Hearing impaired child seeks better special education services in regular classroom. J. Dennis Doyle, Antioch School of Law, 1624 Crescent Place, Washington D.C. 20009, 202-727-9877.

[Hl] Ladson v. D.C. Bd. of Ed. Superior Ct. 1978. Sp. Ed. Residential placement. Elam Lantz, Antioch School of Law, Juvenile Clinic, 1624 Crescent Place, Washington, D.C. 20009, 202-265-9500 Ext 247.

[Hl Pl] Ladson v. D.C. Bd. of Ed. U.S. Dist. Ct. 1978. Summary judgment Mar. 1979, affirmed Feb. 1980. EHLR 551:188. Sp. Ed. Suit for residential placement; scope of review of the administrative decision by the courts. Jack R. Marker; Neighborhood Legal Service Program, 310 Sixth Street N.W., Washington D.C. 20001, 202-628-9161.

[H0] Lenfant v. D.C. Bd. of Ed. U.S. Dist. Ct. 1980. EHLR 552:272. Sp. Ed. Suit to force District of Columbia schools to give handicapped plaintiff a diploma. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[Hl] Lewis v. D.C. Bd. of Ed. U.S. Dist. Ct. Jan. 1980. TRO Jan. 1980. Sp. Ed. Residential placement for retarded child. Jack Marker, Neighborhood Legal Services, 310 6th St., NW, Washington, D.C. 20001, 202-628-9161.

[Hl Pl] Means v. D.C. Bd. of Ed. U.S. Dist. Ct. Dec. 1978. Sp. Ed. Tuition reimbursement for handicapped student. Scope of services for handicapped student. Legality of due process hearing. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[P1] *Murray* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. 1980. Sp. Ed. Legality of due process hearing procedures for special education. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[E8] *National Child Labor Committee* v. *Califano*. U.S. Dist. Ct. Aug. 1977. Class action. Decision Sept. 1977, D. 11 CHR 589, 823. Suit against the Department of Health, Education and Welfare to require more time for public comment on migrant education regulations. John Ebbott, Migrant Legal Action Program, 806 15th Street N.W., Washington D.C. 20005, 202-347-5100.

[H1] *North* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. 1979. Decision Apr. 1979, P. Preliminary injunction. 471 F. Supp. 136. Sp. Ed. Suit for residential placement. J. Dennis Doyle, Antioch School of Law, 1624 Crescent Place, Washington D.C. 20009, 202-727-9877.

[H1] *J. P.* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. Apr. 1979. Preliminary injunction Nov. 1979. Sp. Ed. Suit for residential placement. Jack R. Marker, Neighborhood Legal Service Program, 310 Sixth Street N.W., Washington D.C. 20001, 202-628-9161.

[H1] *Parker* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. Aug. 1979. Preliminary injunction Sept. 1979. EHLR 551:267. ELB 924. Sp. Ed. Suit for placement in a private school. Michael J. Eig; Eig and Smith, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[H1] *Payne* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. Oct. 1980. Sp. Ed. In home services and residential placement. Jack Marker, Neighborhood Legal Services, 310 6th St., N.W., Washington, D.C. 20001, 202-628-9161.

[H1] *Pollard* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. Mar. 1979. Preliminary injunction 1979. Sp. Ed. Suit for residential placement. J. Dennis Doyle, Antioch School of Law, 1624 Crescent Place, Washington D.C. 20009, 202-727-9877.

[H1] *Reed* v. *McGuthrie*. Superior Ct. 1980. Sp. Ed. The Board of Education contests a private placement granted by the hearing examiner. Diana Savit, Corporation Counsel's Office, 500 Indian Avenue, Room 4450, Washington D.C. 20005, 201-727-3885.

[H0] *Robertson* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. Nov. 1980. Sp. Ed. Attorneys fees for administrative hearing under §504. Mathew Bogin, 1346 Connecticut Ave., Washington, D.C. 20036, 202-463-6668.

[H1] *Sasson* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. 1980. Sp. Ed. Suit for residential costs of a private school placement. Robert Levine, 1800 M Street, Washington D.C. 20036, 202-293-3170.

[H1] *Small* v. *D.C. Bd. of Ed.* U.S. Dist. Ct. 1980. Sp. Ed. Suit for improved residential placement during hearing. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[H6] *In re Christopher Thompson*. Superior Ct. 1981. Sp. Ed. Whether a student is entitled to more individual instruction. Lawrence Jamison, Information Center for Handicapped Individuals, 120 C Street N.W., Washington D.C. 20001, 202-347-4986.

[P1] *Towell* v. *D.C. Bd of Ed.* U.S. Dist. Ct. Apr. 1981. Settled. Sp. Ed. Suit to force the Board of Education to grant a hearing. Matthew Bogin, 1346 Connecticut Avenue, Washington D.C. 20036, 202-463-6668.

[P1] Wallace v. D.C. Bd. of Ed. U.S. Dist. Ct. Preliminary injunction. Sp. Ed. Due process requirements in 94-142 hearing. Mathew Bogin, 1346 Connecticut Ave., Washington, D.C. 20036, 202-463-6668.

[H6 P1] Warren v. D.C. Bd. of Ed. U.S. Dist. Ct. 1980. Preliminary injunction. Sp. Ed. Due process procedures and damages for failure to provide appropriate schooling. Michael J. Eig; Eig and Smith, Suite 805, 1730 M St., N.W., Washington, D.C. 20036, 202-466-8666.

[H1] Weems v. D.C. Bd. of Ed. U.S. Dist. Ct. Mar. 1980. Sp. Ed. Whether the program is appropriate for the child's needs, and whether he needs residential placement. Jack Marker, Neighborhood Legal Services, 310 6th St., NW, Washington, D.C. 20001, 202-628-9161.

[H1] Whitmire v. D.C. Bd of Ed. U.S. Dist. Ct. 1980. Settled. Sp. Ed. Request for a temporary restraining order to enforce a hearing examiner's decision granting private placement. Elam Lantz, Antioch School of Law, Juvenile Clinic, 1624 Crescent Place, Washington D.C. 20009, 202-265-9500.

FLORIDA

[B2] Blackford v. Orange Co. School Bd. Cir. Ct. Orange Co. June 1978. Decision Aug. 1978, D. Dist. Ct. of Appeal decision Apr. 1979, P. School board decided to close schools in a secret meeting (Florida "Sunshine Law" requires open meetings). David B. King; Peed and King, P.O. Box 6165C, Orlando 32853, 305-422-2471.

[A1] Burke v. Turlington. Cir. Ct. Leon Co. Jan. 78. Suit by NAACP representative to attend a meeting of a committee established by the Department of Education to review state's competency tests. Robert W. Williams, Rutgers University Law School, Camden, NJ 08102, 609-757-6372.

[D8] Dixon v. Brown. U.S. Dist. Ct. N.D. Dec. 1977. Decision Sept. 1979, D. The student contends he was not given any hearing on his expulsion. Stephen M. Slepin; Slepin, Slepin, Lambert & Waas, 1114 E. Park Ave., Tallahassee 32301, 904-224-5200.

[F3] Ferrara v. Hendry Co. School Bd. Dist. Ct. 1977. Decision 1977, D. Ct. of Appeal decision 1978, D. 362 So. 2d 371. Hearing denied by Florida and U.S. Supreme Cts. Contesting suspension of student for having a mustache. Bruce S. Rogow, Nova University Law Center, 3100 S.W. 9th Ave., Ft. Lauderdale 33315, 305-522-2300.

[H6] Florida Ass'n. for Retarded Citizens v. Graham. U.S. Dist. Ct. M.D. Aug. 1979. Class Action. Sp. Ed. Plaintiffs allege that the school is not providing adequate special education programs for retarded children. Larry R. Morgan, Greater Orlando Legal Services, P.O. Box 1790, Orlando 32802, 305-841-7777.

[S2 S4] Florida High School Activities Ass'n. v. Bradshaw. Co. Ct. Pinellas Co. 1977. Decision 1977, P. Dist. Ct. of Appeal decision Mar. 1979, D. 369 So. 2d 398. Plaintiff contends that the Association removed him from eligibility for football in a capricious manner and violated due process requirements. Challenge to one year residency rule. Douglas J. Loeffler, P.O. Box 747, Clearwater 33517, 813-443-7636.

[A1] Florida State Bd. of Ed. v. Brady. Dist. Ct. of Appeal June 1978. Decision July 1979, P. Defendant, who failed part of the competency test, challenged the scoring criteria by which functional literacy was determined on the grounds that it had not been properly adopted. This is an appeal from a ruling by the Division of Administrative Hearings upholding the defendant's position. James D. Little, General Counsel, State Board of Education, Knott Bldg., Tallahassee 32301, 904-488-7707.

[D8] Franklin v. Hendry Co. Dist. School Bd. Dist. Ct. of Appeal 1978. Decision Mar. 1978. 356 So. 2d 931. School expulsion. Plaintiff charged that school board hearing relied on hearsay testimony presented by affidavit. Robert J. Shapiro, Bay Area Legal Services, 305 N. Morgan St., Tampa 33602, 813-223-2525.

[D8] Gains v. Silas Pittman. U.S. Dist. Ct. Apr. 1979. Decision, M. Student suspended by the school board charged that there was a violation of due process in the suspension. Lindsey Moore, address unknown.

[H4 P1] Garrett v. Broward Co. School Bd. Cir. Ct. Broward Co. Oct. 1977. Decision, D. ELB 475. Sp. Ed. Plaintiff charged (under the state constitution) that child was improperly classified during his early years of schooling. Case was dismissed for failure to exhaust administrative remedies. E.M. Obrig; Allsworth, Doumar, Schuler, Padula and Laystrom, 1177 S.E. Third Ave., Ft. Lauderdale 33316, 305-525-3441.

[H1 H4] Grace v. Dade Co. School Bd. U.S. Dist. Ct. S.D. Apr. 1980. Settled. Sp. Ed. Plaintiff alleges that the child was originally classified as uneducable in public schools and then reclassified when a new federal law (1977) required payment to private school. (Originally filed in 1976 in state court and appealed to the District Court of Appeal.) Louis R. Beller, 420 Lincoln Rd., Miami Beach 33140, 305-531-0660.

[H6] Greth v. Dade Co. School Bd. Cir. Ct. Dade Co. 1979. Settled. 14 CHR 580. Sp. Ed. Damage suit alleging that the Board wrongfully placed a learning disabled child in a class for emotionally disturbed, thus depriving him of needed education. Stephen Cahen, 8585 Sunset Drive, Miami 33143, 305-595-0605.

[S2] Johnson v. Florida High School Activities Ass'n. Cir. Ct. Dade Co. Dec. 1980. Preliminary injunction 1980. Moot. Student repeated a grade, and the association declared him ineligible for sports in his senior year; the student then filed suit contending that this ineligibility rule was applied in an arbitrary manner. Sarahlea Tobocman, Legal Services of Greater Miami, 1393 S.W. 1st St., Miami 33135, 305-649-5150.

[H2 P1] Victoria L. v. Lee Co. School Bd. U.S. Dist. Ct. M.D. Sept. 1980. Sp. Ed. Parents contest a child's placement in an alternative learning center, claiming due process violation because the hearing officer would not permit a lay advisor to represent her. Robert P. Jordan; Jordan, Blayne and Jennings, 2638-A S. Harbour City Blvd., Melbourne 32901, 305-723-6410.

[H3] Leftwich v. School Bd. of Collier Co. Cir. Ct. Collier Co. Aug. 1980. Decision Aug. 1980, M. Sp. Ed. Whether a change in the physical location of an exceptional child's program of education constitutes a change in educational placement. Guion T. DeLoach, 800 Harbour Drive, Naples 33940, 813-261-5572.

[H2 H6 E2] Levon M. v. Broward School Bd. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Suit to abolish the alternate education system in Broward because it is not considered possible to assign pupils to the system in an equitable way and not discriminate against blacks. Plaintiffs wish to have the students provided with IEPs. Gene Reibman, Legal Aid Service of Broward Co., 609 South Andrews Avenue, Fort Lauderdale 33301, 305-764-8110.

[S2] Lotmore v. Florida High School Activities Ass'n. Cir. Ct. Dade Co. 1978. Decision 1978, P. Suit to enable student to participate three full years in track. Joel S. Fass; Colodny and Fass, 626 N.E. 124th St., N. Miami 33161, 305-891-0066.

[A1 E2] Love v. Turlington. U.S. Dist. Ct. M.D. May 1980. Class action. The case challenges the Florida basic skills test (literacy test) as requirement for diploma, alleging discrimination against blacks. Robert J. Shapiro, Bay Area Legal Services, 305 N. Morgan St., Tampa 33602, 813-223-2525.

[H1] Jack M. v. Santa Rosa Co. School Bd. U.S. Dist. Ct. N.D. Sept. 1979. Settled. Sp. Ed. Child was diagnosed as emotionally disturbed and put in a home-bound program. Parents brought suit to have child placed in a special residential school. John R. Grass, 120 S. Alcaniz St., Pensacola 32501, 904-434-0224.

[H3 P2] Michelle v. Polk Co. School Bd. Cir. Ct. Polk Co. Nov. 1978. Withdrawn. Sp. Ed. Plaintiff charged improper placement in a truancy school which had no facilities or staff for handicapped children. Marcia E. Bove, 24 York Ct., Baltimore, MD 21218, 301-962-3870.

[E2 H3 P2] NAACP v. Pinnellas Co. School Bd. U.S. Dist. Ct. M.D. Apr. 1980. Class action. Sp. Ed. Plaintiffs charge improper student suspension and improper placement of blacks. Morris W. Milton; Williams and Milton, P.O. Box 13517, St. Petersburg 33733, 813-822-4707.

[B2] Orange Co. School Bd. v. Blackford. Ct. of Appeal 1978. Decision Apr. 1979, P. 369 So. 2d 689. Whether parents' association has sufficient interest to have standing to challenge the decision of the school board to close schools and change boundaries. Appeal by school board from an administrative hearing. John W. Bowen; Bowen & King, P.O. Box 3462, Orlando 32802, 305-843-5260.

[A1 E2] Debra P. v. Turlington. U.S. Dist. Ct. M.D. 1978. Decision July 1979, P. CCA 5 decision May 1981, P. Remanded. ELB 845. 13 CHR 449. Whether the Florida basic skills test provides a fair appraisal of basic skills among students who had attended segregated schools until recent years. Whether the present school curriculum provides instruction in the basic skills which are evaluated by the test. Whether students received adequate notice of the establishment of competency tests. Robert J. Shapiro, Bay Area Legal Services, 305 N. Morgan St., Tampa 33602, 813-223-2525.

[B2] Polk v. Polk Co. School Bd. Dist. Ct. of Appeal Mar. 1979. Decision Aug. 1979, D. Plaintiff claimed that the Florida Administrative Procedure Act had not been followed in closing a school, because the Board did not file an economic impact statement. Stephen C. Watson; Hahn, Breathilt, Roberts and Watson, P.O. Box 38, Lakeland 33802, 813-688-7747.

[D1 D5] Pope v. Sang. U.S. Dist. Ct. M. D. Nov. 1979. Settled. Contesting a student's suspension on the grounds that the marijuana was found in an illegal search of a car. Lamar Winegart III; Sheppard, Carithers and Weinbaum, 215 Washington St., Jacksonville 32202, 904-356-9661.

[A1] Robinson v. Palm Beach Co. School Bd. Cir. Ct. Palm Beach Co. June 1978. Class action. Decision, D. ELB 742. 12 CHR 416. Suit contended that the establishment of the competency test did not comply with state administrative procedures act. Dismissed for failure to exhaust administrative procedures. Robert M. Hustead, Florida Rural Legal Services, Inc., 110 N.W. Fifth Ave., Delray Beach 33444, 305-248-5500.

[S1] Rowe v. Florida High School Activities Ass'n. Cir. Ct. Palm Beach Co. 1978. Decision 1978, D. Dist. Ct. of Appeal decision 1978, D. Student attacks his ineligibility for sports under the transfer rule after moving from Germany to live with a grandparent in Florida. Thomas J. Cunningham; Cunningham and Cunningham, P.O. Box 3543, West Palm Beach 33401, 305-683-2900.

[P2] S-1 v. Turlington. U.S. Dist. Ct. S.D. Jan. 1979. Decision June 1979, P. CCA 5 Nov. 1980. Decision Jan. 1981, P. 635 F. 2d 342. Sp. Ed. Due process requirements on expulsion of handicapped children. Duty of school to consider whether disruptive behavior was a result of child's handicap. Jacob A. Rose, Florida Rural Legal Services, Inc., 105 S. Narcissus Ave., W. Palm Beach 33401, 305-833-4495.

[H1] Sarasota Co. School Bd. v. Cooke. Dist. Ct. of Appeal Aug. 1980. Sp. Ed. Appeal of hearing officer's decision that the child required residential placement in a self-contained classroom for emotionally disturbed children. John W. Bowen; Bowen and King, P.O. Box 3462, Orlando 32802, 305-843-5260.

[H6] Sariol v. Dade Co. Bd. of Pub. Instruction. Cir. Ct. Dade Co. Mar. 81. Sp. Ed. Suit for damages on the ground that a mentally retarded child, now 21, was not given any special education for three school years, contrary to the recommendations of the Board's psychologist. Robert A. Glassman, 2825 S. Miami Avenue, Miami 33129, 305-854-7000.

[D8] Seay v. Franklin Co. School Bd. U.S. Dist. Ct. Mar. 1981. Injunction Mar. 1981. Students were suspended (for alleged use of drugs on school grounds) pending a school board hearing on whether to expel them. The plaintiffs seek reinstatement in school and delay of the hearing to give time to prepare a defense. Algia R. Cooper; Knowles, Randolph & Cooper, 121 1/2 S. Monroe Street, Tallahassee 33301, 904-222-3768.

[D8] Seay v. Franklin Co. School Bd. Dist. Ct. Tallahassee 1981. Decision 1981, D. Same issue as the previous case. Algia R. Cooper; Knowles, Randolph & Cooper, 121 1/2 S. Monroe Street, Tallahassee 33301, 904-222-3768.

[E5] Stone v. Calhoun Co. School Bd. U.S. Dist. Ct. N.D. Aug. 1978. Class action. Settled. 12 CHR 500. ELB 712, 814. Charge of violation of equal protection when a married, pregnant student was not allowed to return to school. Robert F. Williams, Florida Legal Services, 226 W. Pensacola St., Tallahassee 32301, 904-222-2151.

[D8] Terry T. v. Pinellas Co. School Bd. U.S. Dist. Ct. M.D. Apr. 1980. Class action. 14 CHR 471. Challenge to suspension and expulsion on the grounds that there was no meaningful hearing. Ronald B. Halpern, Gulf Coast Legal Services, 65 Fort Harrison, Clearwater 33516, 813-443-0657.

[S2] Taylor v. Florida High School Activities Ass'n. Cir. Ct. Marin Co. July 1977. Withdrawn. Suit contesting a rule that requires a student to live with his family to be eligible for sports. Edwin C. Cluster; Ayres, Cluster, Curry, McCall and Briggs, 21 Northeast First Ave., Ocala 32670, 904-622-3281.

[E1] U.S. v. Marion Co. School Dist. U.S. Dist. Ct. Decision, D. CCA 5. Decision Oct. 1980, P. 625 F. 2d 607. Whether the United States could sue to seek specific performance of the school board's contractual assurances to desegregate. Howard L. Feinstein, Civil Rights Division, Department of Justice, Washington, D.C. 20530

[E8] Valadez v. Graham. U.S. Dist. Ct. M.D. May 1978. Decision June 1979, D. 474 F. Supp. 149. Migrant children sue to stop the school policy of failing children who enter school late, claiming discrimination against migrants and Mexican-Americans, and request better education programs for migrants. Marcia Bove, 24 York Ct., Baltimore, MD 21218, 301-962-3870.

[H6] Van Artsdalen v. School Bd. of Brevard Co. U.S. Dist. Ct. M.D. Nov. 1980. Sp. Ed. Plaintiff charged improper placement of a learning disabled child, claiming that the child was not provided a proper reading program in school. Alice K. Nelson, 518 Tampa Street, Tampa 33602, 813-228-6030.

[F1] Williams v. Lindeblad. Cir. Ct. Dade Co. Apr. 1980. TRO denied. Dist. Ct. of Appeal Oct. 1980. Whether suspending the student because he was wearing a belt buckle with confederate flag violates the First Amendment. Kathleen M. Phillips, 1 S.E. 3rd Ave., Miami 33131, 305-377-3023.

[D1 E2] Frank Y. v. Shelton. U.S. Dist. Ct. M.D. Oct. 1978. Class action. ELB 1007. 12 CHR 560. Alleges racial discrimination in suspensions and expulsions in Florida. Robert J. Shapiro, Bay Area Legal Services, 305 N. Morgan St., Tampa 33602, 813-223-2525.

GEORGIA

[H1] John A. v. Hinson. U.S. Dist. Ct. Oct. 1978. Decision Oct. 1978, D. Sp. Ed. Placement in a suitable private school sought. Roger Mills, 101 Marrietta Tower, Suite 3950, Atlanta 30301, 404-221-4583.

[O1] Arundar v. Dekalb Co. School Dist. U.S. Dist. Ct. N.D. March 1979. Decision 1979, D. CCA 5. Decision June 1980, D. 620 F. 2d 493. Whether a high school student may recover damages from school which denied her the right to enroll in certain courses. W. Larue Boyce, Jr.; Smith, Longabaugh, Mitchell, Boyce & Clark, 129 Trinity Place, Decatur 30030, 404-378-2355.

[S2] Atkins v. Georgia High School Ath. Ass'n. U.S. Dist. Ct. M.D. 1977. Decision 1977, D. CCA 5 1978. Decision Oct. 1978, D. Challenge to Association rule limiting interscholastic athletic competition to eight semesters. John H. Ridley; Ridley & Wellon, 3565 Piedmont Rd., Atlanta 30305, 404-261-1131.

[F4 H4 P2] Brown v. Hancock. U.S. Dist. Ct. M.D. Apr. 1978. Settled. ELB 833. Sp. Ed. Charge of improper testing and classification; lack of due process in a disciplinary hearing and violation of confidentiality (by permitting a reporter in the hearing). Rachael Henderson, Georgia Legal Services Program, P.O. Box 1469, Americus 31709, 912-928-1293.

[H1] Cohen v. McDaniel. U.S. Dist. Ct. Apr. 1980. Voluntarily dismissed, Dec. 1980, because of new 4th Cir. decision: 623 F .2d 893. Sp. Ed. Suit for retroactive reimbursement of parents for private residential placement. Brant Jackson, Jr., 6600 Powers Ferry Rd., NW, Atlanta 30339, 404-955-1118.

[H6 P1] Corry v. McDaniel. U.S. Dist. Ct. Nov. 1980. Sp. Ed. Due process in administrative hearings, and what are the educational needs of the plaintiff. Billy Kight; Kight and Flanders, 210 E. Gaines St., Dublin 31021, 912-275-2485.

[B4] Crim v. McWhorter. Superior Ct. Fulton Co. May 1977. Class Action. Decision Apr. 1978, P. Georgia Supreme Ct. 1978. Decision Jan. 1979, D. 252 S.E. 2d 421. Whether charging a tuition fee for each course in summer school violated the Georgia constitutional provision for a free education. Robert S. Connelly; Jr., Powell, Goldstein, Frazer & Murphy, 35 Broad St., Atlanta 30335, 404-572-6600.

[S2] DeKalb Co. School System v. White. Superior Ct. July 1979. Decision Aug. 1979, P. Georgia Supreme Ct. 1979. Decision Sept. 1979, D. 260 S.E. 2d 853. Challenge to High School Association rule limiting participation in interscholastic athletic competition to four years. John H. Ridley; Ridley & Wellon, 3565 Piedmont Rd., Atlanta 30305, 404-261-1131.

[O1] Deriso v. Cooper. Superior Ct. Sumter Co. Dec. 1977. Supreme Ct. 1980. Decision Oct. 1980, D. 272 S.E. 2d 274. Sp. Ed. What constitutes "adequate education" under the state constitution and who determines adequacy. Charges lack of funding for programs and inadequate facilities. Jonathan A. Zimring, Georgia Legal Services Program, 133 Luckie St., Atlanta 30503, 404-565-6021.

[S2] Elias v. Georgia High School Ath. Ass'n. Superior Ct. Gwinnett Co. May 1980. Decision July 1980, D. Student attacks the eight semester rule for sports eligibility. John L. Blandford; Blandford & Werbin, 3508 Broad Street, Chamblee 30341, 404-451-1306.

[H2 P1] Estes v. Gardner. U.S. Dist. Ct. M. D. 1980. Sp. Ed. Placement in least restrictive environment. Burden of proof in due process hearing. Whether school must maintain status quo after suit filed. Howard Sokol, Georgia Legal Services Program, 236 E. Greene St., Milledgeville 31061, 912-453-4855.

[H1 H7] Fletcher v. Jimmy Y. Superior Ct. DeKalb Co. Mar. 1979. Sp. Ed. Whether residential full year placement is appropriate. Constitutionality of expenditures. Charles L. Weatherly; Weekes, Candler, Sams and Weatherly, One West Court Square, Decatur 30030, 404-378-2391.

[B1] Foreman v. Burke Co. Bd. of Ed. Superior Ct. Burke Co. Feb. 1980. Moot. Whether a boy living with his grandmother could go to local school (moot because student became 18 years old and moved away). Kent E. Silver, Georgia Legal Services Program, P.O. Box 389, Waynesboro 30830, 404-554-7801

[H7] Georgia Ass'n. for Retarded Citizens v. McDaniel. U.S. Dist. Ct. Nov. 1978. Class action certified July 1979. EHLR 552:365. ELB 908. Decision Apr. 1981, M. Sp. Ed. Whether mentally retarded children should be provided more than 180 days schooling. Jonathan A. Zimring, Georgia Legal Services Program, 133 Luckie St., Atlanta 30503, 404-565-6021.

[H7 P1] Goodrich v. Atlanta Bd. of Ed. U.S. Dist. Ct. 1979. Sp. Ed. Whether school authorities can place a restriction on the number of days that residential education and services are to be provided. Also whether plaintiff must file a new case for each school year. Thomas B. Branch III; Wildman, Harrold, Allen, Dixon and Masinter, 1200 S. Omni International, Atlanta 30303, 404-656-1200.

[H7] Wendell H. v. McDaniel. U.S. Dist. Ct. Nov. 1979. Sp. Ed. Whether school can limit number of days per year of residential placement. John M. Leiter; Harmon, Smith and Bridges, 1204 Life of Georgia Tower, Atlanta 30308, 404-881-1200.

[S2] Heard v. Georgia High School Ath. Ass'n. U.S. Dist. Ct. M.D. Aug. 1978. Decision 1978, P. CCA 5. Decision 1978, D. Suit attacking the eight semester rule for sports eligibility. J. Douglas Stewart; Telford, Stewart & Stewart, P.O. Box 430, Gainsville 30503, 404-536-0101.

[P1] Helms v. McDaniel. U.S. Dist. Ct. 1979. Decision Dec. 1980, D. CCA 5 1981. Sp. Ed. Challenge to state's due process procedures regarding placement of handicapped students, contending that the Georgia procedures are not in compliance with the mandates of the federal statutes. Brant Jackson, Jr., 6600 Powers Ferry Rd., NW, Atlanta 30339, 404-955-1118.

[E5] Hill v. Johnson. U.S. Dist. Ct. Mar. 1977. Preliminary injunction Nov. 1977, P. ELB 521. Whether the school authorities can send pregnant students to a separate school (alleged to be inadequate) rather than to the regular high school. Raiford Stanley, Jr., Georgia Legal Services Program, Macon, 791 Poplar St., Macon 31201, 912-744-6261.

[S2 S4] Jackson v. Bibb Co. Bd. of Ed. Superior Ct. Bibb Co. Sept. 1978. Decision Sept. 1978, D. Whether there is a constitutional right to participate in extra-curricular activities (football). Whether there was due process at the hearing in the administrative proceeding. Joseph Jones, Jr.; Hill, Jones and Associates, 101 Marietta Tower S., Atlanta 30303, 404-688-1687.

[A1 E2 H0] Johnson v. Sikes. U.S. Dist. Ct. Nov. 1979. Class action. 14 CLR 47. Sp. Ed. Contesting policy of school board that no educable mentally retarded student can get a high school diploma, and the use of California achievement tests as a requirement for a diploma. Also alleging discrimination against black students. Jonathan A. Zimring, Georgia Legal Services Program, 133 Luckie St., Atlanta 30503, 404-565-6021.

[H1 H7] Harry L. v. Hinson. U.S. Dist. Ct. 1979. Sp. Ed. Whether school was appropriate for child. Whether residential full year placement was needed. D. R. Sloan, Jr.; Hyatt and Rhodes, 2200 Peachtree Center, Harris Tower, Atlanta 30303, 404-659-6600.

[H1 H7] Lazenby v. DeKalb Co. Bd. of Ed. U.S. Dist. Ct. May 1980. Sp. Ed. Whether full year residential placement should be provided and what services are required. Thomas B. Branch III; Wildman, Harrold, Allen, Dixon and Masinter, 1200 S. Omni International, Atlanta 30303, 404-656-1200.

[P2] Myers v. Douglas Co. Bd. of Ed. U.S. Dist. Ct. N.D. Nov. 1978. TRO 1978, then became moot. 12 CHR 735. Sp. Ed. Whether the school complied with 94-142 procedural requirements when suspending an emotionally disturbed student. Robert B. Remar, Georgia Legal Services, P.O. Box 1319, Douglasville 30133, 404-949-1271.

[H1] Christopher N. v. McDaniel. U.S. Dist. Ct. Nov. 1978 Sp. Ed. Whether school should provide residential placement. John M. Leiter; Harmon, Smith & Bridges, 1204 Life of Georgia Tower, Atlanta 30308, 404-881-1200.

[D1] Nunnelley v. Henry Co. School Bd. Superior Ct. Henry Co. Jan. 1981. Decision Feb. 1981, D. Suit contesting expulsion of student for taking pills, on grounds that the punishment is too harsh and violates the compulsory education law. Jay W. Bouldin; Bouldin & Harrington, 7886 N. Main, Jonesboro 30237, 404-477-1414.

[H7] Peskin v. McDaniel. U.S. Dist. Ct. Dec. 1978. Sp. Ed. Whether residential placement can be limited to 180 days. Brant Jackson, Jr., 6600 Powers Ferry Rd., NW, Atlanta 30339, 404-955-1118.

[S1] Pfeffer v. Georgia High School Ath. Ass'n. Superior Ct. DeKalb Co. 1980. Decision 1980, P. Student questions ineligibility for sports after transfer from a private school to a public school. William R. Hurst; Hurst & Barber, P.O. Box 88394, Atlanta 30338, 404-451-2307.

[H1 H7] Prince v. Clarke Co. Bd. of Ed. U.S. Dist. Ct. 1980. Sp. Ed. Whether residential placement is appropriate, 24 hours, full year, with services. J. Douglas Parks, Box 1023, Gainesville 30503, 404-532-6993.

[H1] Ragan v. McDaniel. U.S. Dist. Ct. Nov. 1978. Sp. Ed. Whether school should provide residential placement. John M. Leiter; Harmon, Smith and Bridges, 1204 Life of Georgia Tower, Atlanta 30308, 404-881-1200.

[F1] Reineke v. Cobb Co. School Dist. U.S. Dist. Ct. N.D. Nov. 1979. Decision Feb. 1980, P. 484 F. Supp. 1252. Whether the school authorities can censor and forbid distribution of high school newspaper critical of school personnel without violating students' First Amendment rights. William E. Hoffman, Jr.; Trotter, Bondurant, Miller and Hishon, 2200 1st National Bank Tower, Atlanta 30303, 404-688-0350.

[H1 H7 P1] Smith v. Cook. U.S. Dist. Ct. Mar. 1979. Sp. Ed. Whether IEP is adequate. Whether school is to pay for institutionalization for 365 days. Whether school should pay all costs of placement or only educational costs. Whether school funds can be used for other than educational purposes, i.e., medical expenses. Adequacy of administrative procedure. Stanley F. Birch, Jr.; Deal, Birch and Jarrard, 212 Green St., Gainesville 30501, 404-532-9978.

[S2] Smith v. Crim. Superior Ct. Fulton Co. Aug. 1977. Decision Sept. 1977, D. Supreme Ct. Oct. 1977. Decision Dec. 1977, D. 240 S.E. 2d 884. Challenge to high school association eight semester rule re eligibility for extra-curricular activities (football). Robert S. Connelly, Jr.; Powell, Goldstein, Frazer and Murphy, 35 Broad St., Atlanta 30335, 404-572-6600.

[H7 P1] Mark T. v. McDaniel. U.S. Dist. Ct. Feb. 1979. EHLR 551:214. Sp. Ed. Whether handicapped child has right to education on a year round basis. Whether plaintiff had exhausted remedies by proceeding under state plan. Elizabeth Appley; Margie Pitts Hames, P.O., 794 Juniper St., Atlanta 30308, 404-873-6565.

[D8] Taylor v. Newton. U.S. Dist. Ct. May 1980. Challenge to disciplinary policies and procedures--due process on suspension. Martha Pearson; Nelson and Sweat, P.O. Box 307, Athens 30603, 404-353-7373.

[A1] Wells v. Banks. Superior Ct. Tattnall Co. 1978. Decision 1979, D. Ct. of Appeals decision Feb. 1980. D. 266 S.E. 2d 270. Challenge to local school board rule that, in order to graduate with a diploma, candidate must achieve at least 9th grade (entering) level in mathematics and reading on a competency test. Allegations of violation of state statutes, due process and equal protection. Richard D. Phillips, P.O. Box 66, Ludowici 31316, 912-545-2191.

[A1 E2] Wells v. Tattnall Co. Bd. of Ed. U.S. Dist. Ct. S.D. 1978. Suit attacking competency testing on the grounds that it discriminates against blacks and has no relationship to educational goals of the schools. David Arnold, Georgia Legal Services Porgram, 133 Luckie Street, Atlanta 30503, 404-656-6021.

[H1 H7] Wildes v. DeKalb Co. Bd. of Ed. U.S. Dist. Ct. May 1980. Sp. Ed. Whether full year residential placement should be provided, and what services are required. Thomas B. Branch III, Wildman, Harrold, Allen, Dixon and Masinter, 120C S. Omni International, Atlanta 30303, 404-656-1200.

HAWAII

[B5] Casuga v. Clark. U.S. Dist. Ct. 1978. Class action. Suit to stop use of tokens in school lunch program for children receiving free lunch. Paul Alston; Paul, Johnston and Alston, Pacific Trade Center, Honolulu 96813, 808-524-1212.

[H1 P1] Dept. of Ed. v. Carl D. Cir. Ct. 1979. Decision 1980, D. Sp. Ed. Whether child is entitled to residential service. The trial court ruled that the appeal by the state, from an administrative agency decision, had not been timely filed. Diane Hosaka, Attorney General's Office, 415 South Beretania St., Honolulu 96813, 808-548-6733.

[H1 P1] Dept. of Ed. v. Carl D. U.S. Dist. Ct. May 1980. Decision 1981, D. Sp. Ed. Whether the child is entitled to residential service. Counter claim--whether it is necessary to have separate hearings for separate claims under Sec. 504 and 94-42 when the facts are identical. Gary Chang, Attorney General's Office, 415 South Beretania St., Honolulu 96813, 808-548-4740.

[H2 H6] Dept. of Ed. v. Dorr. U.S. Dist. Ct. Dec. 1980. Sp. Ed. Least restrictive placement of child with cystic fibrosis and a tracheostomy; the parents want the child placed in the classroom, but the school wishes home instruction. Scope of medical service that must be given by school. Charleen Aina, Attorney General's Office, 415 South Beretania Street, Honolulu 96813, 808-548-4740.

[P1] Dept. of Ed. v. Eric G. Cir. Ct. Jan 1980. Decision 1980, D. Hawaii Supreme Ct. 1980. Sp. Ed. Whether the Department of Education has standing under the Administrative Procedures Act to appeal agency decisions (i.e., whether the Department must file in federal court instead of state court). Charleen Aina, Attorney General's Office, 415 South Beretania Street, Honolulu 96813, 808-548-4740.

[H1 P1] Dept. of Ed. v. Laura V. U.S. Dist. Ct. Feb. 1980. Decision 1981, D. CCA 9 1981. Sp. Ed. Appeal from an agency decision granting reimbursement for private placement tuition accrued while the IEP was being prepared. Case was dismissed because it was filed late, and the issue on appeal is the application of the statute of limitations. Charlene Aina, Attorney General's Office, 415 South Beretania Street, Honolulu 96813, 808-848-4740.

[H1] Dept. of Ed. v. Mathew G. U.S. Dist. Ct. Feb. 1980. Sp. Ed. The state contests a ruling that it must pay private school tuition. Charleen Aina, Attorney General's Office, 415 South Beretania Street, Honolulu 96813, 808-548-4740.

[H1] Dept. of Ed. v. Paul S. U.S. Dist. Ct. Nov. 1980. Sp. Ed. The department contests an administrative ruling that it must provide costs of private placement. Gary Chang, Attorney General's Office, 415 South Beretania St., Honolulu 96813, 808-548-4740.

[H1] Doe v. Clark. U.S. Dist. Ct. 1979. Settled. Sp. Ed. Whether the state had to provide private school tuition, because the state school could not provide the services needed. Norman Lau; Radius, Lau and Arnett, 1136 Union Mall, Honolulu 96813, 808-523-6767.

[H6 H7] Doe v. Clark. U.S. Dist. Ct. Oct. 1978. Class action. Consent decree June 1979, then contempt appeal to CCA 9 Dec. 1980. 13 CHR 306, 529. Sp. Ed. Claim that the Department of Education was not providing speech therapy and other special education services required by 94-142. Whether the Department of Education can restrict the school year to 9 months. Todd Boley, Legal Aid Society of Hawaii, P.O. Box 368, Wailuku Maui 96793, 808-244-3731.

[H1] Gardner v. Clark I. U.S. Dist. Ct. March 1979. Preliminary injunction Jan. 1980. CCA 9 1980. Whether the state must pay for private schooling of a learning disabled child; the school did not prepare an I.E.P. Right to attorney fees in due process hearings and in court upon issuance of preliminary injunction. Shelby Floyd; Paul, Johnston and Alston, Pacific Trade Center, P.O. Box 9813, Honolulu 96813, 808-524-1212.

[H1 P1] Gardner v. Clark II. U.S. Dist. Ct. Jan. 1980. Sp. Ed. Whether the administrative decision has to be made on an annual basis (whether the hearing officer decision only lasts one year). Shelby Floyd; Paul, Johnston and Alston, Pacific Trade Center, P.O. Box 9813, Honolulu 96813, 808-524-1212.

[R4] Hawaii v. Andrews. Cir. Ct. 1980. Decision June 1980, M. Hawaii Supreme Ct. 1980. Whether a private school must be licensed under state licensing law in spite of First Amendment objections. Russell S. Kato, Deputy Attorney General, Attorney General's Office, 415 S. Beretania Street, Honolulu 96813, 808-548-4740.

[H1 H4] Lantzer v. Clark. U.S. Dist. Ct. Aug. 1979. Settled. ELB 948. Sp. Ed. Whether the child was offered a free and appropriate education when an I.E.P. had never been prepared. Requesting reimbursement for costs of private schooling. Stanley E. Levin; Davis & Levin, 10 Marin Street, Merchant Square, Honolulu 96817, 808-524-7500.

[H7] Lee v. Clark. U.S. Dist. Ct. Sept. 1980. Class action. Sp. Ed. Right of each handicapped child to be evaluated for possible inclusion in summer services. Contesting the policy of the Department of Education to deny summer services to certain children. Shelby Floyd; Paul, Johnston and Alston, Suite 1300, Pacific Trade Center, P.O. Box 9813, Honolulu 96813, 808-524-1212.

[P1] Seaman v. Clark. U.S. Dist. Ct. 1979. Decision 1980, D. Appealed to CCA 9 then withdrawn. Sp. Ed. Whether §504 provides a private cause of action for a handicapped child. Whether the administrative hearing under 94-142 was sufficient for a 504 hearing. Norman Lau; Radius, Lau and Arnett, 1136 Union Mall, Honolulu 96813, 808-523-6767.

[H6 P1] Won v. Clark. U.S. Dist Ct. Dec. 1979. Sp. Ed. Damage action for not providing adequate services to a handicapped child in public school, and for terminating the child from special education without notice to parents. Stanley E. Levin; Davis & Levin, 10 Marin Street, Merchant Square, Honolulu 96817, 808-524-7500.

IDAHO

[H7] Anderson v. Meridian Joint School Dist. U.S. Dist. Ct. Dec. 1980. Sp. Ed. Whether a school session for handicapped students that extends past the 180-day-required school year must comply with the Rehabilitation Act and the Education for all Handicapped Students Act. James Baugh; Idaho Coalition of Advocates for the Disabled, 1510 W. Washington, Boise 83702, 208-336-5353.

[D8] Bybee v. Unified School Dist. U.S. Dist. Ct. Dec. 1977. Settled 1978. Whether the school district violated a student's due process rights in a suspension hearing. Plaintiff alleges that the charges were unclear, the triers of fact were not impartial, and the evidence was not properly considered. Jonathan Ellison; Idaho Legal Aid Services, Box 973, Lewiston 83501, 208-743-1556.

[H6] Jeff D. v. Evans. U.S. Dist. Ct. Sept. 1980. Sp. Ed. Whether the State was providing adequate educational opportunities as required by 94-142. Charles Johnson; Idaho Legal Aid Services, Box 1136, Idaho Falls 83401, 208-524-3660.

[H3] Erkins v. Joint School Dist. #135. Dist. Ct. 5th Dist. 1977. Decision 1978, P. Whether students have a right to transfer to other schools, tuition-free, if their own school has "inadequate facilities" under accreditation standards. William L. Mauk; Skinner, Donnelly, Fawcett and Mauk, Box 700, Boise 83701, 208-345-2654.

[F2] Fogarty v. Atchley. U.S. Dist. Ct. 1978. Settled 1978. Whether a school district can prevent a teacher from assigning a certain book, even on a voluntary basis. Stephan L. Pevar; ACLU, Mountain States Regional Office, 3570 E. 12th Ave., Suite 201, Denver, CO 80206, 303-321-5901.

[S1] Halligan v. Idaho High School Activities Ass'n. Dist. Ct. Ada Co. Feb. 1979. TRO, then moot. Student sues to enter a state wrestling meet after being ruled ineligible because he changed schools without changing residence. Bert L. Poole, 703 N 8th Street, Boise 83702, 208-345-2104.

[S2] Halligan v. Bd. of Trustees of the Boise School Dist. Dist. Ct. Nov. 1980. Preliminary Injunction Feb. 1981. Moot. Whether a freshman, attending a junior high school, can participate in high school varsity sports. A. L. Lyons; Lyons, Bohner and Chasan, P.O. Box 1397, Boise 83701, 208-354-3760.

[E4] Idaho Migrant Council v. Bd. of Ed. U.S. Dist. Ct. Apr. 1979. Decision Sept. 1979, D. CCA 9 1979. Whether Idaho is meeting the Title VI requirement of bilingual education. Whether enforcement action should be brought against the state, or the school district. Dennis Milbrath; Idaho Migrant Council, 715 S. Capital Blvd., Boise 83701, 208-354-9761.

[S2] Mecham v. Idaho High School Activities Ass'n. Dist. Ct. 1979. Decision, D. Whether a student who goes to an out-of-state school to play a sport not available in his district can participate in other sports programs in his district the next semester. William K. Fletcher; Parsons, Smith and Stone, Box 910, Burley 83318, 208-678-8382.

[S1] Mullin v. Idaho. Dist. Ct. Ada Co. Feb. 1978. TRO, then dissolved. Student contests a State High School Activities Association rule that a student changing schools is ineligible for a year unless his parents also change their residence. Howard Foley, P.O. Box 814, Meridian 83642, 208-888-3704.

[R2] Reimann v. Fremont Co. Joint School Dist. U.S. Dist. Ct. May 1980. Decision May 1980, P. Whether a public school can hold graduation exercises in a church when an adequate public auditorium is available. Stephan L. Pevar; ACLU Mountain States Regional Office, 3570 E. 12th Ave., Suite 201, Denver, CO 80206, 303-321-5901.

[S2] Smith v. School Dist. No. 93. Dist. Ct. Bonneville Co. Sept. 1977. Decision 1977, D. Student contests the eight-semester rule for sports eligibility on the grounds that he could not play for two semesters when he was sick. Reed L. Moss; Peterson, Moss & Olsen, 485 E. Street, Idaho Falls 83401, 208-523-4650.

ILLINOIS

[E1] Aurora School Dist. 131 v. Cronin. Cir. Ct. Kane Co. July 1977. Temporary injunction July 1977. Decision Jan. 1978, P. App. Ct. Feb. 1978. Reversed and remanded May 1979. Decision Feb. 1980, P. App. Ct. Mar. 1980. Decision Jan. 1981, P. 415 N.E. 2d 1372. Leave to appeal to Illinois Supreme Ct., granted June 1981. Whether the State Board of Education exceeded its authority in its application of its "Rules for the Elimination and Prevention of Racial Segregation in Schools" by requiring the school district to change its attendance patterns in a way which could only be accomplished by busing students, when state statute prohibits mandatory busing. Whether the Rules are ultra vires and unconstitutional, and whether the Board can fix a mathematical standard by which de facto segregation is determined. Lambert M. Ochsenschlager; Reid, Ochsenschlager, Murphy and Hupp, P.O. Box 1368, Aurora 60507, 312-892-8771.

[H9] David B. v. de Vito. Cir. Ct. Cook Co. April 1978. Decision Aug. 1979, P. Sp. Ed. Suit to resolve dispute among three state agencies as to which should pay for the education of emotionally disturbed children, and to secure payment. Patrick T. Murphy; Goldberg and Murphy, Ltd., 33 N. La Salle St., Chicago 60602, 312-782-4530.

[H9] David B. v. de Vito. U.S. Dist. Ct. N.D.E.D. 1979. Sp. Ed. Suit to "firm up" state court decision as to payment for education of emotionally disturbed children. See David B. case supra. Patrick T. Murphy; Goldberg and Murphy, Ltd., 33 N. La Salle St., Chicago 60602, 312-782-4530.

[A1 H4] Debra B. v. Ill. State Bd. of Ed. U.S. Dist. Ct. C.D. Mar. 1981. Class action. Sp. Ed. Challenge to the use of the same minimal competency test for handicapped students as for normal students as a requisite for promotion and graduation. Also action for damages. Gary E. Kerr; Kerr and Longwell, 1307 S. Seventh, Springfield 62703, 217-522-2244.

[H1] Gary B. v. Cronin. U.S. Dist. Ct. N.D. Dec. 1979. Class action. Preliminary injunction July 1980. Settled Jan. 1981. EHLR 552:144. ELB 912. 13 CHR 791, 14 CHR 579. Sp. Ed. Question of related services; whether state has to pay for therapy and counselling for handicapped children who have been placed by the state in private schools. Jeffrey Gilbert, Juvenile Litigation Office, 343 S. Dearborn, Suite 709, Chicago 60604, 312-341-1070.

[S2] Baber v. Illinois High School Ath. Ass'n. Cir. Ct. Mar. 1980. Preliminary injunction, 1980; which the Appellate Ct. and Illinois Supreme Ct. refused to stay. A girl contests the Association's ruling that she is ineligible for sports because she is a tuition paying student in the public schools. Peter Dole, 117 Washington St., Paris 61944, 217-461-7676.

[B1] Bd. of Ed. Community School Dist. No. 154 v. Regional Bd. of School Trustees, McHenry Co. Cir. Ct. McHenry Co. Decision D. Appellate Ct. Decision May 1980, D. 405 N.E. 2d 495. Dispute over the boundaries of a school district, and in which district a star tennis player resides. Allyn J. Franke; Franke & Miller, 33 N. Dearborn Street, Chicago 60602, 312-782-5042.

[B1] Bd. of Ed. Jonesboro School Dist. No. 43 v. Regional Bd. of School Trustees Union Co. Cir. Ct. 1979. Decision D. Appellate Ct. decision July 1980, D. 407 N.E. 2d 1084. Plaintiff school board contests transfer of a family from within its boundaries to within the defendant's boundaries (the family is closer to the defendant school). Florence H. Slutzky; Robins, Schwartz, Nicholas & Lifton, 29 South La Salle Street, Chicago 60603, 312-332-7760.

[E1] Bd. of Ed. School Dist. 40 v. State Bd. of Ed. Cir. Ct. Rock Island Co. Aug. 1977. Whether there is de jure segregation. Also challenge to the State Board of Education "Rules for the Elimination and Prevention of Racial Segregation in Schools" on the grounds that they are (1) ultra vires (2) arbitrary, unreasonable and capricious and (3) set an unreasonable and unflexible mathematical formula for determining whether segregation exists. Daniel Churchill; Churchill and Churchill, 1610 Fifth AVe., Moline 61265, 309-762-3643.

[E1] Bd. of Ed. School Dist. 104 v. Illinois State Bd. of Ed. Cir. Ct. Cook Co. Dec. 1978. Proceedings stayed Oct. 1979 and Mar. 1980 until Chicago Heights case (infra) is decided on appeal. Whether the State Board's "Rules for the Elimination and Prevention of Racial Segregation in Schools" (1) are ultra vires (2) are unreasonable, arbitrary and capricious (3) deny due process (4) are discriminatory and are not applied uniformly (5) order busing contrary to state statute and (6) are invalid to the extent that they permit the State Board to withhold funds from plaintiff. Anthony Scariano, Sr.; Anthony Scariano and Associates, 1450 Aberdeen, Chicago Heights 60411, 312-755-1900.

[H0] Bd. of Ed. of Lovington Community v. Maycroft. Cir. Ct. May 1979. Decision Sept. 1979, D. App. Ct. Oct. 1979. Decision Aug. 1980, D. 410 N.E. 2d 128. Sp. Ed. Appeal from board of trustees' decision approving transfer of home from one school district to another at the request of parents of child, so he could live with them instead of with his grandfather. Resisted on the ground that the annexing school (which the child was attending) did not have the learning disabled class and remedial reading program which the Lovington school had. Joseph V. Florini; McLaughlin and Florini, 16 S. Washington St., Sullivan 61951, 217-728-7325.

[D2 D8] Brooks v. Geneseo Community School Dist. No. 228. Cir. Ct. Henry Co. May 1977. Class action. Agreed order Nov. 1977. ELB 517. Charge that board of education suspended plaintiff without a proper hearing and reduced his grades as additional punishment, thereby violating due process and depriving him of a property right. Gerald Brask, Jr. Prairie State Legal Services, 111 N 3rd St., Geneva 60134, 312-232-9415.

[H5] Brown v. Chicago Bd. of Ed. Cir. Ct. Cook Co. Dec. 1978. Sp. Ed. Appeal from hearing officer's decision to terminate schooling for a deaf boy who is a functional illiterate at 21. Whether failure to provide special educational services for the boy obligates the Board of Education to provide services beyond the age of 21 years as a compensatory measure. Also action for damages. Ira A. Burnim, P.O. Box 2087, Montgomery, AL 36101, 205-264-0286.

[S2] Busch v. Illinois High School Ath. Ass'n. Cir. Ct. 1980. TRO then settled. Suit contesting sports ineligibility ruling for an emancipated student living apart from his parents. Martin L. O'Connor, 217 E. Washington St., Bloomington 61701, 309-829-1257.

[B1 H9] William C. v. Chicago Bd. of Ed. Cir. Ct. Cook Co. 1977. Decision July 1977, P. App. Ct. 1977. Decision May 1979, P. 390 NE 2d 479. Sp. Ed. Challenge to board's position that another school district, in which a handicapped child is in residence, should begin to pay costs of residential placement, where the child has been in the other school district for some time, but the parents reside in Chicago. Linda Lipton; Better Government Ass'n., 230 N. Michigan Ave., Chicago 60601, 312-641-1181.

[B4] Carlisle Community School Dist. v. ________. Cir. Ct. Clinton Co. 1978. Suit dismissed 1978. Suit by school superintendent to collect fees from students, including indigent students. Lawrence Ruemmler, (Defense Attorney), Land of Lincoln Legal Assistance 1212 Main St., Mt. Vernon 62864, 618-244-0235.

[E1] Chicago Heights Public School Dist. 170 v. State Bd. of Ed. Cir. Ct. Cook Co. Aug. 1977. Decision Nov. 1979, P. App. Ct. Dec. 1979. Decision June 1981, P. Challenge to State Board's "Rules for the Elimination and Prevention of Racial Segregation in Schools" on the grounds that they exceed the lawful authority of the Board, that they are arbitrary, unreasonable and capricious, that they are unconstitutional in that they deny due process, that they order busing in violation of state law and that they are invalid to the extent that they empower the Board to deny recognition to and withhold payments from the school district. Anthony Scariano, Sr.; Anthony Scariano and Associates, 1450 Aberdeen, Chicago Heights 60411, 312-755-1900.

[F4] Chicago Public Ed. Project of American Friends Service Committee v. Bd. of Ed. of City of Chicago. Cir. Ct. Cook Co. 1977. Class action. Settled Feb. 1979, P. ELB 547. Challenging denial of access to psychological and other school records as violation of the Illinois Student Records Act and the Family Educational Rights and Privacy Act. Linda Lipton, Better Gov't. Ass'n., 230 N. Mich. Ave., Chicago 60601, 312-641-1181.

[E1] Darland v. Gill. Cir. Ct. Winnebago Co. July 1980. Objection to State Board of Education rule which has the effect of requiring bussing, contrary to state statute. Also seeks an order requiring the Rockford schools to cease the bussing which is currently being done pursuant to requirements of State Board. Robert R. Canfield, 1100 Rockford Trust Bldg., Rockford 61101, 815-965-7761.

[D5 D8] Davis v. School Directors Dist. 150. U.S. Dist. Ct. 1980. Decision May 1980, D. CCA 7 1980. Decision Dec. 1980, D. Challenge to suspension for possession of marijuana--due process. Also question of illegal search. Charles R. McGuire, Route 1, Box 141, Eureka 61530, 309-467-2487.

[D8] Davis v. Thompson. Cir. Ct. Union Co. 1978. Decision 1979, D. App. Ct. 1979. Decision Dec. 1979, D. 399 N.E. 2d 195. Sec. 1983 action for damages for lack of due process on suspension hearing. Dennis J. Hogan, 102 N. Tenth St., Murphysboro 62966, 618-684-3174.

[E1] Dearman v. Ill. State Bd. of Ed. Cir. Ct. Kane Co. Aug. 1978. Dismissed Dec. 1978 when local school board declined to join. Whether the State Board "Rules for the Elimination and Prevention of Segregation in the Schools" constitute an attempt to require bussing, contrary to state statute. Also challenge to Board's mathematical formula for determining compliance. William A. Feda; Miller, Feda and Barboso, 35 Fountain Square Plaza, Elgin 60120, 312-695-3355.

[D8] Dickerson v. Billups. U.S. Dist. Ct. N.D. 1977. Decision Nov. 1979, D. CCA 7 1980. Decision Dec. 1980, P. Due process on expulsion; whether notice was adequate and hearing properly held. Also for attorneys fees under §1988. John S. Elson, Assoc. Prof. of Law, Northwestern Univ. Law School, 339 East Chicago Ave., Chicago 60611, 312-649-8576.

[H1] Dmochowski v. Hannon. Cir. Ct. Cook Co. Sept. 1979. Settled Oct. 1980. Sp. Ed. Suit for retroactive reimbursement for private school tuition--special educational services. Arthur L. Berman; Maragos, Richter, Berman, Russell and White, Chtd. 69 W. Washington St., Chicago 60602, 312-782-9200.

[D1 D8] Donaldson v. Bd. of Ed. of Danville Consolid. School Dist. 118. Cir. Ct. Vermillion Co. Nov. 1980. Decision Dec. 1980 D. App. Ct. Jan. 1981. Challenge of school board suspension decision as being arbitrary, capricious, and, because student missed final exams, denial of right to education. Because the trial court judge dismissed the case on the ground that no constitutional issue was involved, an issue on appeal is the scope of judicial review of school suspension decision. Thomas E. Kennedy III, Land of Lincoln Legal Assistance Foundation, 327 Missouri Ave., East St. Louis 62201, 618-271-5008.

[H1] Dorn v. Cronin. Cir. Ct. Kane Co. Feb. 1978. Decision Jan. 1979, D. Sp. Ed. Suit for private placement and tuition reimbursement. Whether present special education program meets the child's needs. Raymond M. Strass; Brittain, Ketcham, Strass, Terlizzi and Flanagan, 1695 Larkin Ave., Elgin 60120, 312-742-6100.

[E1] Finnelly v. Ill. State Bd. of Ed. Cir. Ct. Cook Co. March 1978. Decision April 1980, P. Challenge to Board of Education Rules concerning desegregation that would require bussing of students, contrary to state statute. Richard T. Franch; Jenner and Block, One IBM Plaza, Chicago 60611, 312-222-9350.

[S3] Fitzgerald v. Bd. of Ed. of Chicago. Cir. Ct. Cook Co. May 1978. Preliminary injunction, then settled June 1978. Where board of education moved starting time of track meet ahead by two hours, without adequate notice, members of school team sought injunction against publishing results of the meet because they had been excluded from several events. Sue Anne Herrmann; Cotton, Watt, Jones, King and Bowlus, One IBM Plaza, Chicago 60611, 312-467-0590.

[H6 P1] Foster v. Community Consolidated School Dist. No. 21. Cir. Ct. Cook Co. Oct. 1978. Decision Dec. 1979, P. Sp. Ed. Charge of inappropriate placement and program for a child with cerebral palsy, and failure to provide therapy. Also whether there was proper notice of a hearing. Melvin J. Foster, 3008 Wilshire Lane, Arlington Heights 60004, 312-394-4167.

[D5 D8] Robert G. v. Bd. of Ed. of Carrier Mills-Stonefort Community School Dist. No. 2. Cir. Ct. 1981. Plaintiff alleges denial of due process in suspension and expulsion, plus unlawful search and unlawful arrest. Stephen C. Mentes, Land of Lincoln Legal Assistance Foundation Inc., 704 Harrisburg National Bank Building, Harrisburg 62946, 618-252-8317.

[O1] Gammon v. Edwardsville Community Unit School Dist. No. 7. Cir. Ct. Madison Co. Mar. 1977. Decision n.o.v. June 1979, D. App. Ct. 1979. Decision Mar. 1980, P. 403 N.E. 2d 43. Whether school exhibited willful and wanton misconduct in not protecting student from a threatened assault. Robert W. Bosslet, Jr.; Chapman and Carlson, P.O. Box 1365, Granite City 62040, 618-876-8440.

[A2 H6] Goldberg v. Cronin. U.S. Dist. Ct. N.D. 1979. Sp. Ed. Wide ranging action alleging non-compliance with §94-142, denial of civil rights, educational malpractice in failing to properly place and educate a child, and for reimbursement and damages. Ronald H. Balson, 180 N. La Salle St., Chicago 60601, 312-332-5556.

[B1] Greenholdt v. Bd. of Ed. School Dist. No. 186. Cir. Ct. Sangamon Co. Aug. 1980. Decision Sept. 1980, D. App. Ct. Oct. 1980. Decision April 1981, remanded. Change of venue April 1981. Sibling transfer. Whether revocation of authorization to a student to attend the same high school as an older sibling was beyond the authority of the Superintendent, was discriminatory (other transfers were not revoked) and was made without due process. Mary Lee Leahy; Leahy and Leahy, 919 S. Pasfield, Springfield 62704, 217-522-4411.

[D1 D8] Grunert v. Bd. of Ed. of Lincolnway High School Dist. U.S. Dist. Ct. Dec. 1980. Whether school followed its own rules in classifying a valium tablet as an illegal drug, stimulant or narcotic. Whether student was denied due process in connection with her expulsion in that she was threatened with expulsion if she requested a hearing before the school board. Marilyn Longwell; Kerr and Longwell, 33 N. Dearborn St., Chicago 60602, 312-263-4730.

[H2] Hall v. Sp. Ed. Dist. of Lake Co. U.S. Dist. Ct. Oct. 1980. Preliminary injunction keeping child in present school--Oct. 1980. Sp. Ed. Challenge to proposed transfer of EMR child to a segregated school a long way from home. Parents sought least restrictive environment. Kevin Kane; Prairie State Legal Services, Inc., 104 W. Willow, Wheaton 60187, 312-690-6900.

[S2] Hare v. Bloom High School Dist. Cir. Ct. Cook Co. 1980. TRO granted, then stayed by the Appellate Ct., and the Supreme ct. refused to vacate the stay. Student was ruled ineligible for sports when his parents moved to another district but he remained in the same high school. He brought suit to overturn the Illinois High School Association ruling. Angel Ciambrone, 1515 Halsted Street, Chicago Heights 60411, 312-755-9133.

[D5] Hentz v. City of Chicago. U.S. Dist. Ct. N.D. Apr. 1980. Allegedly unlawful strip search by police and school officials without a probable cause determination. Karen G. Anderson; Vedder, Price, Kaufman and Kammholtz, 115 So. La Salle St., Chicago 60603, 312-781-2377.

[D5 D8] Hessling v. School Directors Dist. 150. U.S. Dist. Ct. 1980. Decision May 1980, D. CCA 7 1980. Decision Dec. 1980, D. Whether there was due process on a 10-day suspension from school for possession of marijuana. Also whether there was an illegal search of the student's purse and locker. Charles R. McGuire, Route 1, Box 141, Eureka 61530, 309-467-2487.

[E1] Joliet Grade School Dist. No. 86 v. Cronin. Cir. Ct. Will Co. 1977. Whether the State Superintendent's "Rules for the Elimination and Prevention of Racial Segregation in Schools" are arbitrary, unreasonable and beyond his authority. Whether the Rules require bussing contrary to state statute. Whether there is segregation, either de facto or de jure, in the district. Douglas P. Hutchison; McKeown, Fitzgerald, Zollner, Buck, Sangmeister and Hutchison, 2455 Glenwood Ave., Joliet 60435, 815-729-4800.

[H1] Tonya K. v. Chicago Bd. of Ed. U.S. Dist. Ct. N.D. Feb. 1981. Class action. Sp. Ed. Class action to compel the Board of Education to place handicapped children in the private day schools or residential placements that have been determined to be appropriate for them, in accordance with their IEPs. Michael Young and Susan Sitter; Legal Assistance Foundation, 343 S. Dearborn St., Chicago 60604, 312-341-9026.

[S2] Kaempf v. Ill. High School Ass'n. Cir. Ct. Cook Co. Nov. 1979. Dismissed 1980. Challenge to Association rule which prohibits members of a school team from participating on any non-school team in the same sport. Horst R. Seyferth, 4623 N. Lincoln Ave., Chicago, 60625, 312-561-7544.

[E6] Klemz v. Bd. of Ed. U.S. Dist. Ct. N.D. Oct. 1979. TRO denied Oct. 1979. Settled Nov. 1979. Whether a girl could participate on a high school golf team--there being no girls' golf team. Prentice H. Marshall, Jr.; Sidley and Austin, 1 First National Plaza, Chicago 60603, 312-329-5400.

[S1] Kulovitz v. Illinois High School Ass'n. Cir. Ct. Cook Co. Nov. 1978. Decision Nov. 1978, D. Whether there is a rational basis for a rule preventing a student from playing basketball. He was ruled ineligible for violating the transfer rule which applies to those over 18, i.e. who do not need a guardian. Whether the possibilities of a future college scholarship create a property interest in participating in athletics. Jerry L. Lambert; Lambert, Levinson, Wanninger, Levato and Canna, P.O. Box 26, Flossmoor 60422, 312-799-0190.

[S2] Kulovitz v. Illinois High School Ass'n. U.S. Dist. Ct. N.D. Dec. 1978. Decision Dec. 1978, D. 462 F. Supp. 875. Whether there is a rational basis for a rule preventing 18 year olds from playing interscholastic basketball. Whether the possibility of a future college scholarship creates a property interest in participating in athletics. Jerry L. Lambert; Lambert, Levinson, Wanninger, Levato and Canna, P.O. Box 26, Flossmoor 60422, 312-799-0190.

[H6] Darlene L. v. Ill. State Bd. of Ed. U.S. Dist. Ct. N.D. March 1981. Sp. Ed. Whether the "Memorandum of Understanding" of the Governor's Purchased Care Review Board is in conflict with §94-142 in providing that there shall be no reimbursement or payment for "psychiatric services," as distinguished from "psychiatric diagnosis" and as distinguished from services rendered by psychologists. Marilyn Longwell; Kerr and Longwell, 33 N. Dearborn St., Chicago 60602, 312-263-4730.

[S3] La Harpe High School v. Illinois High School Ath. Ass'n. Cir. Ct. Hancock Co. 1979. Decision 1977, D. The school sued to change the results of a basketball tournament game because the referee made a mistake. Richard Rasmussen, P.O. Box 509, La Harpe 61450, 217-659-3312.

[E3] Limon v. Hannon. U.S. Dist. Ct. Aug. 1977. Consent decree Jan. 1979, P. 12 CHR 63. Action for declaratory judgment, injunction and damages, challenging school board's policy of requiring students from foreign countries to show evidence of immigration status as a condition to admission without payment of tuition. Linda Yanez, Texas Rural Legal Aid, P.O. Box 450, Brownsville, TX 78520, 512-546-5558.

[H4] Linkins v. Illinois Office of Ed. U.S. Dist. Ct. N.D. Oct. 1980. Settled, P. Sp. Ed. Suit to enforce hearing officer's decision re special education for blind, deaf, physically handicapped child who was mistakenly classified by the school as "emotionally disturbed." David B. Kennedy; One Northgate Square, Greensburg, PA 15601, 412-832-3740.

[D5 D8] In re Matter of M. U.S. Dist. Ct. C.D. 1977. Preliminary injunction denied, 1977. Challenge to suspension and expulsion on the grounds that school officials had made a search without reasonable cause, that the clay pipe found was not within the vague term "paraphernalia" in the school rules and that there was a failure of due process in the suspension hearing. Mary Lee Leahy; Leahy and Leahy, 919 S. Pasfield, Springfield 62704, 217-522-4411.

[D5 H1 P2] Mangini v. Bd. of Ed. Community High School Dist. No. 108. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Suit for damages by parents on behalf of their retarded son and themselves for an illegal search, for failure to hold a hearing in connection with an expulsion, failure to inform the parents as to their rights and for reimbursement for tuition and transportation costs. Donald Page Moore, One IBM Plaza, Room 1414, Chicago 60611, 312-467-1750.

[P2 D8] Massengill v. Bd. of Ed. of Antioch Community High School. U.S. Dist. Ct. N.D. June 1979. Class Action. Withdrawn. 88 F.R.D. 181. Sp. Ed. Challenging an expulsion for inadequate hearing process including lack of witness testimony, and use of inadmissible evidence. Requesting special education procedures. Joseph Moscov; Prairie State Legal Services, 4 South Genesee, Waukegan 60085, 312-662-6925.

[D8] Massey v. Bd. of Ed. of Community Unit School Dist. No. 186, Jackson Co. Cir. Ct. Jackson Co. June 1977. TRO June 1977. Preliminary injunction denied June 1977. ELB 553. Alleged failure of due process at hearing which resulted in Plaintiff's suspension and expulsion. Charge that board failed to follow its own rules. Thomas E. Kennedy III, Land of Lincoln Legal Assist. Foundation, 327 Missouri Ave., E. St. Louis 62201, 618-271-5008.

[H6] McCowan v. Hahn. U.S. Dist. Ct. N.D. Nov. 1978. Sp. Ed. Action for declaratory judgment, injunctive relief and damages, for alleged failure to provide evaluation procedures and educational services for a handicapped child. Linda Lipton, Better Government Association, 230 N. Michigan Ave., Chicago 60601, 312-641-1181.

[F2] Meyer v. Cronin. Cir. Ct. Cook Co. Aug. 1979. Class action. Mandamus to Superintendent to include information, Dec. 1980, P. Whether State Board of Education should issue rule that "abstinence" be taught along with teaching about abortion. Whether State Board of Education, in issuing guidelines for sex education pursuant to state law, should include "restraint" and "abstinence" as ways of avoiding unwanted pregnancies, as well as information about contraceptives and abortion. Camillo Volini, 111 West Washington St., Chicago 60602, 312-641-2383.

[H1] Morris v. Cronin. Cir. Ct. Cook Co. April 1979. Sp. Ed. Suit by parents of child enrolled in a special education class in a parochial school for reimbursement of tuition. Patrick T. Murphy; Goldberg and Murphy, Ltd., 33 N. La Salle St., Chicago 60602, 312-782-4530.

[H0] Oakley v. Klingberg Schools. Cir. Ct. Cook Co. May 1980. Settled, May 1980. School remained open. Class action. Sp. Ed. Action to enjoin foreclosure sale of private non-profit facility caring for 104 developmentally disturbed and retarded children and young adults. The State agencies are alleged to have under-funded the school. Action to require proper funding and proper care. Patrick T. Murphy; Goldberg and Murphy, Ltd., 33 N. La Salle St., Chicago 60602, 312-782-4530.

[E6] O'Connor v. Bd. of Ed. School Dist. No. 23. U.S. Dist. Ct. N.D. Oct. 1980. Preliminary injunction, 1980. CCA 7 1980. Decision April 1981, D. Petition for rehearing pending. Suit for injunction to permit sixth grade girl to try out for the boys' sixth grade basketball team, instead of the girls' interscholastic team. Rosemarie Guadnolo and Andrew B. David; Arvey, Hodes, Costello & Burman, 180 N. La Salle Street, Chicago 60601, 312-855-5000.

[P1] Clint P. v. Gill. U.S. Dist. Ct. N.D.E.D. March 1981. Class Action. Sp. Ed. Challenge to Department of Education's interpretation of §94-142 rules to the effect that the hearing officer can only determine whether proper procedures have been followed and can make no substantive ruling. Ora N. Schub and Michael Young; Legal Assistance Foundation, 343 S. Dearborn St., Chicago 60604, 312-341-9026.

[H1] Peak v. Hitzeman. Cir. Ct. Lake Co. Dec. 1978. Dismissed as moot. Sp. Ed. Action to review decision of Illinois Office of Education as inappropriate and to have handicapped child given full time residential placement. Wallace C. Winter and Ora N. Schub; Illinois D.D. Project, 343 S. Dearborn St., Chicago 60604, 312-341-9026.

[B4] Peoria Public Schools Dist. 150 v. Maynard. Small Claims Ct. 1978. Decision 1978, P. Whether the school district discriminates improperly in charging some students rental fees for books and not charging others.

James L. Hafele (Defense attorney), 717 First National Bank Bldg., Peoria 61602, 309-673-3513.

[E6] Petrie v. Ill. High School Ass'n. Cir. Ct. Sept. 1978. Decision 1979, D. App. Ct. 1979. Decision Sept. 1979, D. 394 N.E. 2d. 855. Challenge to Association rule prohibiting boys from playing on girls' volleyball team in a tournament when there is no boys' volleyball team. Marc J. Ansel; Zimmerly, Dodd, Ansel and Stout, P.O. Box 3475, Champaign 61820, 217-356-6363.

[H2 H6] Amy R. v. Thompson. U.S. Dist. Ct. Nov. 1980. Class action. Sp. Ed. Charge that severely retarded children at State institution are not receiving proper evaluation or appropriate educational services and are being held in a too restrictive environment. Herbert Eastman, Land of Lincoln Legal Assist. Foundation, 327 Missouri Ave., East St. Louis 62201, 618-271-2476.

[H1 P1] Mark R. v. Bd. of Ed. of Bremen Community High School Dist. U.S. Dist. Ct. Nov. 1980. Sp. Ed. Whether school board must reimburse cost of private placement made by parents and confirmed by local hearing officer. Also action for damages for interim failure to provide education, and for State Board's failure to rule on the appeal. Marilyn Longwell; Kerr and Longwell, 33 N. Dearborn St., Chicago 60602, 312-263-4730.

[E1] Rock Island School Dist. No. 41 v. Ill. State Bd. of Ed. Cir. Ct. Rock Island Co. Oct. 1977. Action to restrain the State Board of Education from enforcing its "Rules for the Elimination and Prevention of Racial Segregation in Schools" on the grounds that they are unreasonable, arbitrary and oppressive, require bussing contrary to state law, and provide sanctions which are excessive and destructive to education. William H. Dailey; Califf, Harper, Fox and Dailey, 506 15th St., Moline 61265, 309-764-8361.

[E2 D8] Ross v. Bd. of Ed. U.S. Dist. Ct. N.D. 1978. Decision May 1980, D. Whether expulsion hearing afforded due process. Whether school officials discriminated against plaintiff, on account of his race, in violation of the equal protection clause. John B. Murphey (Defense attorney); Ancel, Glink, Diamond and Murphy, 180 N. La Salle St., Chicago 60601, 312-782-7606.

[E1] Slocomb v. School Dist. No. 65. U.S. Dist. N.D. May 1979. Decision 1981, D. Alleged that revised school attendance areas placed an undue and discriminatory burden of bussing on black school children. Kathleen C. Yannias, Chicago Lawyers Committee for Civil Rights Under Law, 220 S. State Street, Chicago 60604, 312-939-5797.

[B2] Stassica v. Hannon. Cir. Ct. Cook Co. Aug. 1977. Injunction Sept. 1977, P. App. Ct. Nov. 1977. Decision, P and remand Apr. 1979. 388 N.E. 2d 1110. Became moot 1980. Whether the Board of Education acted arbitrarily and capriciously in determining to close a school, forthwith, without adequate notice to the parents of the school's students. On appeal the issue was whether the trial court judge abused his discretion in not dissolving his TRO. Aurelia Marie Pucinski, 5475 N. Milwaukee, Chicago 60630, 312-631-0400.

[H3] Strasen v. Verchota. Cir. Ct. Cook Co. May 1979. Sp. Ed. Action to review change of placement order of Illinois Office of Education. Susan Sitter; Legal Advocacy Service, 343 S. Dearborn St., Chicago 60604, 312-341-9026.

[H1] Teplitz v. Mount Prospect Elementary School Dist. 54. Cir. Ct. Cook Co. May 1979. Sp. Ed. Action to reverse determination of State Superintendent of Schools that parents cannot be reimbursed for private placement tuition, despite the finding by the superintendent that the school district failed to notify the parents of their rights and that the school district's retention of the child in school was inappropriate. Wayne Giampietro; DeJong, Poltrack and Giampietro, 134 N. La Salle, Chicago 60602, 312-236-0606.

[F4] Thornton v. Bd. of Ed. Cir. Ct. Cook Co. 1980. Decision Jan. 1981, complaint stricken. Whether public comment by the school superintendent about the parents' attitude toward an expulsion amounted to disclosure of student records in violation of the Illinois School Students Records Act or whether the parents had themselves made the disclosure. William A. Hertzberg; Sussman and Hertzberg, 2 N. La Salle St., Chicago 60602, 312-263-7780.

[E1 E4] United States v. Bd. of Ed. of City of Chicago. U.S. Dist. Ct. N.D. Sept. 1980. Consent decree Sept. 1980. Desegregation of the maximum number of schools practicable, in the City of Chicago, including faculty reassignment, bi-lingual staffing for special education classes and an end to unjustified within-school segregation. Michael H. Sussman, General Attorney; Civil Rights Division, Room 7537, Department of Justice, Washington, DC 20530, 202-633-4755.

[H1] Walker v. Cronin. Cir. Ct. Cook Co. Dec. 1979. Decision March 1981, P. Sp. Ed. Suit for reimbursement of tuition paid by parents for private placement. Patrick T. Murphy; Goldberg and Murphy, Ltd., 33 N. La Salle St., Chicago 60602, 312-782-4530.

[S1] Walters v. Illinois High School Ath. Ass'n. Cir. Ct. 1978. Withdrawn. Suit contesting sports ineligibility under the transfer rule. Darrel Stalker, 4 Front St., Alton 62002, 618-465-4656.

[S1] White v. Illinois High School Ath. Ass'n. Cir. Ct. 1978. Settled. An emancipated student contests ineligibility for sports under the transfer rule. Luther F. Spence, 201 N. Wells St., Chicago 60601, 309-829-1257.

[H1] Williams v. Ill. Dept. of Mental Health & DD. Cir. Ct. Sangamon Co. Feb. 1980. Sp. Ed. Action to require State Board of Education to pay full costs of residential placement which it ordered, and not require the parents to contribute $100 per month to such costs. Mary Lee Leahy; Leahy and Leahy, 919 S. Pasfield, Springfield 62704, 217-522-4411.

[P2] Winkenwerder v. McIntosh. Cir. Ct. Pulaski Co. Apr. 1980. Consent agreement June 1980, P. Sp. Ed. Multiple failure of due process on expulsion, failure to identify handicapped child as such. Thomas T. Borek, Land of Lincoln Legal Assist. Foundation, 2021 Washington St., Cairo 62914, 618-734-3124.

[P2] Woods v. Hannon. U.S. Dist. Ct. Feb. 1977. Settled Jan. 1980. ELB 511, 1015. 11 CHR 37, 14 CHR 360. Challenge to school board policy of charging fees for text books, etc., alleging that the fees are not uniformly applied and that they punish students who cannot afford to pay fees. Michael D. Young, Legal Assistance Foundation, 343 S. Dearborn, Chicago 60604, 312-341-9193.

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[S3] Agostino v. Indiana High School Ath. Ass'n. Cir. Ct. St. Joseph Co. Oct. 1980. TRO denied Oct. 1980. Challenge to the associations formula for the triple play-off system in football that favors schools that are members of a conference over independent schools. Equal protection and due process. Anthony M. Zappia, 52582 Dixieway N., South Bend 46637, 219-277-8720.

[H1] Baker v. Negley. Superior Ct. Marion Co. May 1980. Sp. Ed. Action for reimbursement to parents for tuition, transportation, and special services for out-of-state placement of handicapped child, where state had paid such costs for two years, then ceased. David L. Dunlap; Ancel, Friedlander, Miroff, and Ancel, Suite 1770, Market Square Center, Indianapolis 46204, 317-634-4624.

[S3] Belcher v. Indiana High School Ath. Ass'n. Cir. Ct. St. Joseph Co. May 1980. Class Action. Moot. Contesting the indefinite postponement of a girls track tournament (See Williams case). Judge Jeanne Jourdan Swartz, Court House, South Bend 46601, 219-284-9550.

[P2] Brown v. Metropolitan School Dist. Decatur. Superior Ct. Marion Co. May 1981. Sp. Ed. Suit to force school to evaluate student who has been expelled. Roderick Bohannon; Legal Services of Indiana, 107 N. Pennsylvania, Suite 300, Indianapolis 46204, 317-639-4117.

[H1] Burkhart v. State Bd. of Ed. Cir. Ct. Johnson Co. Oct. 1980. Decision Apr. 1981, D. Sp. Ed. Appeal from State Commission determination that local school could provide adequate services for multi-handicapped child. David L. Dunlap; Ancel, Friedlander, Miroff, and Ancel, Suite 1770, Market Square Center, Indianapolis 46204, 317-634-4624.

[D3 D9] Caruso v. Mooresville School Bd. Cir. Ct. Morgan Co. 1979. Decision 1979, P. Contesting the suspension of a student from the wrestling team on the grounds that the hearing procedures were not in accord with due process and that other students committing the same offense were given shorter suspensions. Student permitted on team. Norman Brennan; Brennan, Curtis, and Brennan, 106 East Market, Indianapolis 46204, 317-639-2511.

[S2] Caruso v. Pearson. Cir. Ct. Morgan Co. Feb. 1980. TRO refused. Decision 1980, D. The coach would not allow the student to play in enough meets for student to qualify for the state championship wrestling tournament. Richard Zweig, 115 N. Pennsylvania St., Indianapolis 46204, 317-634-1080.

[D1] Coder v. Rockville Community Schools et. at. Cir. Ct. Parke Co. 1981. TRO. Student, expelled because of truancy, charged that the superintendent and school board acted in an arbitrary and capricious manner. Also charged that policy regarding truancy is contrary to Indiana law. James McDonald; Everett, Everett, and McDonald, 612 Merchants Building, Terre Haute 47807, 812-238-2456.

[D1] Coleman v. Crawfordsville School Corp. Cir. Ct. Montgomery Co. Dec. 1978. Decision, M. Settled. Student suspended for alleged consumption of alcohol challenged suspension on basis of no proof of the act. Jerry L. Susong, 107 W. Main Street, Thorntown 46071, 317-436-2202.

[B2] Colgrove v. Hammond School Bd. Superior Ct. Lake Co. Apr. 1977. Decision Aug. 1977, D. Challenge to school board's decision to close a school (because of declining enrollment) on the grounds that the board had not followed its own rules, had not given sufficient consideration to the matter and had abused its discretion. Ronald F. Layer and Thomas E. Pucinski; Sachs and Hess, 5832 Hohman Avenue, Hammond 46320, 219-932-6070.

[B1] Commission on General Ed. v. Union Twp. School. Cir. Ct. Hancock Co. June 1978. Decision Oct. 1979, M. Appellate Ct. Nov. 1979. Decision Oct. 1980, M. 410 N.E. 2d 1358. Appeal by school from decisions of the Commission in regard to petitions for transfers to another school. Whether the decisions of the Commission were arbitrary because of lack of standards for such decisions. Nelson G. Grills; Collins, Grills, and Suess, 802 Board of Trade Building, Indianapolis 46204, 317-639-3395.

[B1] Commission on General Ed. v. Union Twp. School. Cir. Ct. 1979. Decision June 1980, D. Appellate Ct. 1980. Remanded Mar. 1981. Appeal by school from decisions of the Commission on petitions for transfers to another school. Whether the decisions of the Commission were arbitrary because of lack of standards. Nelson G. Grills; Collins, Grills, and Suess, 802 Board of Trade Building, Indianapolis 46204, 317-639-3395.

[B4] Doe v. Indiana State Bd. of Ed. U.S. Dist. Ct. N.D. Aug. 1978. Class action. Decision Dec. 1978, P. 12 CHR 836. Action to compel State Department of Education to set up standards in regard to free text books and instructional materials for indigent parents of students and to compel schools to notify parents of the standards of eligibility, how to apply and how to appeal any adverse decision. Ivan E. Bodensteiner, Valparaiso University Law School, Valparaiso 46383, 219-464-5395.

[H6] Doe v. Grile. U.S. Dist. Ct. N.D. 1977. Class action. Settled 1977. EHLR 551:285. ELB 626, 886. Sp. Ed. Whether the structure and the amount and quality of the resources and professional staff in the instructional program for handicapped children was adequate. Ernest M. Beal, Jr.; Peters, Terrill, Parrish, and Larson, 1700 Lincoln Bank Tower, Fort Wayne 46802, 219-423-4487.

[P2] Doe v. Koger. U.S. Dist. Ct. N.D. Feb. 1979. Class action. Decision Nov. 1979, P. 480 F. Supp. 225. Sp. Ed. Action to determine that the due process requirements of 94-142, re change of placement, govern expulsion of handicapped child rather than state disciplinary procedures. Whether administrative procedures must be exhausted when the state administrative procedure act is challenged. Also action for damages. Kyle M. Payne, 3413 Kent Lane, South Bend 46615.

[P2] Doe v. Negley. U.S. Dist. Ct. N.D. 1979. Class action. Decision 1979, P, following Doe v. Koger, supra. Sp. Ed. Whether the proceedings for expulsion of a handicapped child should follow the rules of 94-142 as a change of placement, as plaintiff contends, or the Indiana student discipline statute, as the defendant contends. Ivan E. Bodensteiner, Valparaiso University Law School, Valparaiso 46383, 219-464-5395.

[D5] Doe v. Renfrow. U.S. Dist. Ct. N.D. Apr. 1979. Class action. Decision Aug. 1979, D. 475 F. Supp. 1012. CCA 7 Sept. 1979. Decision July 1980, D (except re nude search). 631 F. 2d 91. Petition for rehearing denied Nov. 1980. 635 F. 2d 582. Petition for certiorari. Whether wholesale detention of all students and an organized three hour search with police officers and sniffing dogs looking for drugs violates Fourth Amendment rights where there is no probable cause to believe that any particular student is in possession of contraband. Also validity of nude search. Myrna Hart, Valparaiso University Law School, Valparaiso 46383, 219-464-5272.

[D5] Duff v. Weddell. U.S. Dist. Ct. N.D. Apr. 1981. Whether a drag net search for drugs, with dogs, without a warrant, based on vague rumors, violated Fourth Amendment rights. Courtney Justice, 312 Main Street, Delphi 46923, 317-564-3134.

[E1] Hammond NAACP v. Hammond School Bd. U.S. Dist. Ct. Aug. 1978. Class action. Whether the school board is maintaining a de jure segregated school system, intentionally containing black students in separate schools. Thomas I. Atkins, NAACP, 1790 Broadway, New York, NY 10019, 212-245-2100.

[D5 D8] Honkomp v. Penn-Madison School Corporation. Cir. Ct. St. Joseph Co. Oct. 1979. U.S. Dist. Ct. 1979. Withdrawn. Whether student was accorded due process when expelled. Whether the search of cars in a parking lot violated the student's Fourth Amendment rights. Application for reinstatement and damages. Kyle M. Payne, 3413 Kent Lane, South Bend 46615.

[S1] Kriss v. Indiana High School Ath. Ass'n. Superior Ct. Henry Co. Nov. 1977. Decision Jan. 1978, D. CCA May 1978. Decision May 1979, D. 390 N. E. 2d 193. Suit challenging the association's ruling that the student was ineligible after moving to live with a guardian in another district. Alleges improper delegation of authority by the schools to a private organization and denial of chance to obtain an athletic scholarship. A. S. Woolbert; Woolbert, Cunningham, and Hulse, 23 East 9th Street, Anderson 46016, 317-644-3621.

[H4] Stephen L. v. State Bd. of Special Ed. Appeals. U.S. Dist. Ct. N.D. Jan. 1978. Class action. Settled 1980. ELB 632. Sp. Ed. Appeal from state agency decision that child should be classified as EMR, rather than learning disabled, on the grounds that defendants have not used adequate methods to identify learning disabled children, have used IQ tests as the principally determinant factor, have used untrained personnel in diagnosis, and have placed children in inappropriate classifications without due process. Ernest M. Beal, Jr.; Peters, Terrill, Parrish, and Larson, 1700 Lincoln Bank Tower, Fort Wayne 46802, 219-423-4487.

[B2] LaVelle v. Bd. of School Commissioners, Indianapolis. Superior Ct. Marion Co. July 1980. Decision Aug. 1980, P. Complaint that decision to close eleven schools was made at a closed meeting, without proper notice, in violation of the state Open Door Law. Bruce A. Hugon, Peter L. Cassady, Donald R. Lundberg; Legal Services Organization of Indiana, 107 N. Pennsylvania, Indianapolis 46204, 317-639-4151.

[S2] May v. Indiana High School Ath. Ass'n. Superior Ct. Marion Co. Decision 1977, D. Students contest defendant's ruling that they are ineligible for failure to meet scholastic requirements. F. G. Kramer, 114 W. High Street, Lawrenceburg 47025, 812-537-2522.

[D1 D8] Maxfield v. Western Boone School Corp. Superior Ct. Boone Co. Dec. 1978. Settled Dec. 1978, M. Action to obtain an injunction to halt an expulsion for smoking until the administrative procedures were completed. Whether the school rules were up-to-date. Kenneth R. Baker, 122 S. Meridian Street, Lebanon 46052, 317-482-6990.

[A3] McClure v. Union Co. School Corp. Cir. Ct. Union Co. May 1981. Settled. Student was suspended because a small amount of marijuana was found and expulsion proceedings started. Contention was that student had already earned diploma. Under Indiana law it was property right which could not be taken away. Mark P. Bryan; Federico, Federico and Bryan, 9 East Union Street, Liberty 47353, 317-458-5144.

[S2] *Moore* v. *Indiana High School Ath. Ass'n.* Superior Ct. Marion Co. Sept. 1977. TRO, then settled. Whether a student who wore a brace on his leg while playing football was in violation of an Association rule that prohibits wearing metal or other hard substance. Patrick J. Bennett; Bennett and Sheff, 7800 Shelby, Indianapolis 46227, 317-888-7002.

[D1 D8] *Neal* v. *Charles A. Beard Memorial School Corp*. Cir. Ct. Henry Co. Apr. 1981. TRO, then settled. Student who was expelled charges he was not given equal protection under the law, received excessive punishment, and that there were violations of the due process requirements of Indiana law. Patricia E. Goodspeed, 16 West Main, Kightstown 46148, 317-345-2779.

[D3] *Nunn* v. *Richland Bean Blossom Community School Corp*. Superior Ct. Monroe Co. Jan. 1980. Decision Feb. 1980, D. Students contest their removal from the wrestling team for breaking the training rules (chewing tobacco) off school grounds. Kenneth Nunn, 121 So. College Avenue, Bloomington 47401, 812-332-9451.

[D3 D9] *Patty* v. *Hefley*. U.S. Dist. Ct. N.D. 1979. Decision Jan. 1980, D. Procedural due process re suspension of cheerleaders from further cheerleading for getting drunk after game. Substantive due process--denial of property rights. Courtney Justice, 312 Main Street, Delphi 46923, 317-564-3134.

[E1] *Payton* v. *Fort Wayne Commission School Trustees*. U.S. Dist. Ct. 1977. Class action. Settled 1978. Objection to a bussing plan which put a disproportionate burden on the black community. Also objection to closing a relatively new school in a black neighborhood in favor of an older school with poorer facilities. Chester Slaughter; Howard, Mann, and Slaughter, 188 W. Randolph Street, Chicago, IL 60602, 312-236-5277.

[B2] *Peacock* v. *Bd. of School Commissioners, Indianapolis*. Superior Ct. Marion Co. May 1981. Whether the Board's decision to close a High School was made without properly establishing and publishing criteria for such decision, without considering all the information available, and contrary to the evidence provided to the Board. Nelson G. Grills, 802 Board of Trade Building, Indianapolis 46204, 317-639-3395.

[H6] *Peterson* v. *Negley*. U.S. Dist. Ct. S.D. 1978. Restraining order 1978, P. Sp. Ed. Challenge to school board's proposal to transfer autistic child from special program for autistic children to a special education cooperative that allegedly cannot provide the facilities, training and personnel which the child requires. David L. Dunlap; Ancel, Friedlander, Miroff, and Ancel, Suite 1770, Market Square Center, Indianapolis 46204, 317-634-4624.

[E6] *Satterly* v. *Indiana High School Ath. Ass'n.* U.S. Dist. Ct. S.D. May 1980. Decision May 1980, P. Whether a girl athelete could compete in interscholastic athletics on the baseball team where there was no girls' baseball team. Bell Choate, 151 N. Delaware Street, Indianapolis 46204, 317-634-3113.

[D8] *Skomp* v. *Eagle-Union Community School Corporation*. Superior Ct. Boone Co. 1980. Decision Aug. 1980, D. Whether there was due process in an expulsion case involving marijuana. Kenneth R. Baker, P.O. Box 501, Lebanon 46052, 317-482-6990.

[F1] Summe v. Warsaw Community School Bd. U.S. Dist. Ct. N.D. 1979. Decision Dec. 1979 applied Student Due Process Act, D. Charge of censorship of school paper. Judge Jeanne Jourdan Swartz, Court House, South Bend 46601, 219-284-9550.

[H1] Timms v. Metropolitan School Dist. of Wabash Co. U.S. Dist. Ct. S.D. Mar. 1980. Decision June 1980, D. CCA 7 June 1980. Decision Apr. 1981. Remanded. Sp. Ed. Action to obtain full school-day education for handicapped child in nursing home. David L. Dunlap; Ancel, Friedlander, Miroff, and Ancel, Suite 1770, Market Square Center, Indianapolis 46204, 317-634-9052, and Ernest M. Beal, Jr.; Peters, Terrill, Parrish, and Larson, Fort Wayne.

[D1] Titus v. Western Boone Co. Community School Corp. Superior Ct. Boone Co. 1981. TRO, then moot. Students were suspended for five days because they skipped school with parents permission. Alleged that punishment was too severe and that superintendent exceeded his authority under Indiana law. John David McClure; Iddings, Whitsitt and McClure, P.O. 366, 216 W. North Street, Lebanon 46052, 317-482-1331.

[H8] Tonkel v. East Noble School Corporation. U.S. Dist Ct. Nov. 1980. Sp. Ed. Appeal from state agency decision that school attended by hearing-impaired boy did not have to bus him back home after football practice. Ernest M. Beal, Jr.; Peters, Terrill, Parrish, and Larson, 1700 Lincoln Bank Tower, Fort Wayne 46802, 219-423-4487.

[S1] Train v. Brown. Cir. Ct. Hendricks Co. Mar. 1980. TRO, then withdrawn. Eligibility for sports after change of school. Price A. Jackson, Jr.; Kincaid, Kincaid and Shelby, P.O. Box 743, Lebanon 46052, 317-482-1370.

[E1] United States v. South Bend Community School Corporation. U.S Dist. Ct. N.D. Feb. 1980. Consent decree Feb. 1980. Desegregation of South Bend schools. Michael B. Wise, General Attorney, Civil Rights Division, Room 7704, Department of Justice, Washington, DC 20530, 202-633-3809.

[D3 D9] Walker v. Cater. U.S. Dist. Ct. N.D. Mar. 1979. Students claimed a violation of due process rights on being dismissed from team without a hearing. Theodore D. Wilson, Perry H. Harrold; Wilson, Coleman and Roberts, 3447 Washington Blvd., Indianapolis 46205, 317-923-4573.

[D1 E2] Welsh v. School Town of Munster. Superior Ct. Jasper Co. June 1980. Whether the action of the Board of Trustees in expelling Plaintiff was "arbitrary, capricious, without substantial evidence, unreasonable and unlawful." (Due process not raised in the complaint.) Discrimination in application of school rules, one expelled, two others short suspension. Richard W. Johnson, 9013 Indianapolis Blvd., Highland 46322, 219-972-2660, and Michael L. Muenich, 5231 Hohman Ave., Hammond 46320, 219-932-5656.

[D8] Williams v. South Bend School Corporation. Cir. Ct. St. Joseph Co. 1979. Settled 1979. Whether a student was informed of his rights and was accorded due process in connection with his expulsion. Kyle M. Payne, 3413 Kent Lane, South Bend 46615.

[S3] Williams v. South Bend Community School Corporation. Cir. Ct. St. Joseph Co. May 1980. TRO, then decision June 1980, D. Whether failure to register a star girl athlete to compete in her best event in the qualifications for the state track meet violated her due process rights in not notifying her of the registration requirement and deprived her of a property right, i.e., the right to compete and the chance to obtain a college scholarship. Frederick B. Ettl; Ettl and Ettl, 412 Lafayette Building, South Bend 46601, 219-233-9458.

[H1] Yoh v. East Allen Co. Schools. U.S. Dist. Ct. N.D. Aug. 1980. Settled Jan. 1981, P, except pending re damages and fees. Sp. Ed. Whether the state would pay for placement in an out-of-state residential facility after both the school board and the state agency had agreed on the need for such placement. Douglas Miller; Barrett, Barrett, and McNagny, 395 Lincoln Bank Tower, Fort Wayne 46802, 219-423-9551.

[S2] Zillmer v. Indiana High School Ath. Ass'n. Cir. Ct. Marshall Co. July 1979. Decision Aug. 1979, D. Student contests the defendant's ruling that he is ineligible because he is too old. Mark Wagner, 1409 W. Plymouth Street, Bremen 46506, 219-546-2626.

[F2] Zykan v. Warsaw Community School Corporation. U.S. Dist. Ct. N.D. 1979. Class action. Decision Dec. 1979, D. CCA 7 Aug. 1980. Decision Aug. 1980, D. Dismissed Feb. 1981. Academic freedom, 1st and 14th Amendment and Sec. 1983 of Civil Rights Act; authority of school board to remove books from the library and change curriculum. Prof. Joseph Bauer, Notre Dame Law School, Notre Dame 46556, 219-283-6514.

IOWA

[H5] Barkley v. Bd. of Directors for Sioux City Community School Dist. Dist. Ct. Sioux City 1978. Moot. Sp. Ed. Whether the state statute providing for education only up to age 21 denied due process to special education students who were refused additional training beyond 21, claiming that there was no criteria for allowing or not allowing such training, also denial of equal protection. William J. Hornbostel; James and Galligan, 610 Equitable Building, Des Moines 50309, 515-282-3333.

[D8] Bramblett v. North Scott Community School Dist. U.S. Dist. Ct. S.D. 1979. Decision, P. Whether the school board could suspend a high school sophomore for playing with firecrackers, without a due process hearing. Michael J. McCarthy; McCarthy and Hart, 701 Kahl Building, Davenport 52801, 319-324-9117.

[H3] Buchholtz v. Dept. of Public Instruction. Dist. Ct. Cerro Gordo Co. 1978. Decision 1979, D. Iowa Supreme Ct. Sp. Ed. Whether state school board properly denied parental request to transfer handicapped child to adjacent school district. John Sorensen; Boyle, Schuler, Stanton, Grabinski, & Sorensen, 22 N. 3rd St., Clear Lake 50428, 515-357-2139.

[H3] Buchholtz v. Rockwell Community School Dist. Dist. Ct. Cerro Gordo Co. 1979. Sp. Ed. Whether parents can recover money damages for failure of school board to transfer handicapped child to adjacent school district. John Sorensen; Boyle, Schuler, Stanton, Grabinski, & Sorensen, 22 N. 3rd St., Clear Lake 50428, 515-357-2139.

[D1 D8] Cosgrove v. Van Meador School Dist. Dist. Ct. Dallas Co. Mar. 1979. Preliminary injunction, then settled. Challenge to expulsion for use of controlled substance, claiming lack of evidence, and due process violations. Thomas D. McMillen, Jr., 1906 Ingersoll Avenue, Des Moines 50309, 515-288-1620.

[H1 P1] Brian D. v. Davenport Community School Dist. U.S. Dist. Ct. S.D. May 1979. Class action. 13 CHR 394. ELB 884. Sp. Ed. Suit contesting due process procedures when changing a special education program, claiming violation of right to written notice, the right of appeal, right of counsel, and rights of parents to be involved in the decision process. Also whether the child has a right to remain in an independent education program at school expense pending appeal. Also to prevent his being graduated, which would end his education. Mary Ellen Kerr, HELP Legal Assistance, 609 Putnam Building, 215 Main St., Davenport 52801, 319-322-6216.

[D4 E2] Howard v. Trebon. U.S. Dist. Ct. N.D. 1980. Whether the school violated the civil rights of a minority student by administering corporal punishment more frequently to racial minorities than to whites. Virginia H. Davidson, 708 First National Building, Sycamore & East 4th Streets, Waterloo 50703, 319-236-0005.

[R1 R4] Johnson v. Charles City Community Schools. Dist. Ct. Floyd Co. Mar.1981. Whether the Iowa compulsory attendance law violates the First Amendment rights of parents. Also contests state reporting requirements as applied to religious groups. Craig Hastings; Clark, Clark, & Hastings, 315 6th St., Ames 50010, 515-232-2501.

[D4 D9] Lasiter v. Clear Creek School Dist. Dist. Ct. Johnson Co. 1980. Settled. Whether the student had adequate notice and review of a decision by a teacher to make the student do push-ups for not handing in his homework. Suit brought unde §1983. Whether the teacher could be sued in tort for damages to the student who had a muscular disease and was injured. Richard H. Zimmerman; Mears, Zimmerman, and Mears, Paul-Helen Building, Iowa City 52240, 319-351-4363.

[P1] Robert M. v. Benton. U.S. Dist. Ct. N.D. 1978. Decision Aug. 1979, P. CCA 8 1979. Decision 1980, P. 634 F.2d 1139. Sp. Ed. Whether Dr. Benton, the Superintendent of Public Instruction, could conduct due process hearings as an impartial hearing officer--plaintiff alleged he had conflict of interest. Whether the child had adequate notice of hearing. Whether school board can be liable for actions of Dr. Benton. Martin Ozga, Legal Services Corp. of Iowa, 315 E. 5th St., Des Moines 50309, 515-280-3636.

[D8 P2] Jimmy S. v. Davenport School Dist. U.S. Dist. Ct. S.D. May 1980. Settled. 14 CHR 767. Sp. Ed. Whether the school can expel a junior high school student from regular programs without following the requirements of classifying him as a special education student when requested. Whether the expulsion met the Goss due process requirements. Whether the student had a right to remain in the program pending appeal. Mary Ellen Kerr, HELP Legal Assistance, 609 Putnam Building, 215 Main St., Davenport 52801, 319-322-6216.

[P2] Southeast Warren Community School Dist. v. Dept. of Public Instruction. Dist. Ct. Warren Co. 1979. Decision 1979, D. State Supreme Ct. Decision Nov. 1979, D. 285 N.W.2d 173. Sp. Ed. Whether the school district has the power to expel a special education student without a special evaluation. John Phillips, 510 Hubell Blvd., DesMoines 50309, 515-282-5173.

[E1] Williams v. Bd. of Directors of Des Moines Ind. Community School Dist. Dist. Ct. Polk Co. June 1977. Removed to U.S. Dist. Ct. June 1977. Decision July 1978, D. Suit to enjoin implementation of voluntary plan for desegregation of Des Moines schools. Eugene Davis; Davis, Scott & Grace, 212 Equitable Bldg., Des Moines 50309, 515-243-1207.

[B1 H0] Wilson v. Iowa Dept. of Public Instruction. Dist. Ct. Polk Co. 1980. Settled. Sp. Ed. Whether a handicapped child under a guardianship arrangement was a resident of the school district. Robert Oberbillig, Des Moines Legal Aid Society, 102 E. Grand Ave., Des Moines 50309, 515-243-1193.

KANSAS

[H6] Akers v. Bolton. U.S. Dist. Ct. Feb. 1980. Class action. Sp. Ed. Whether the state's special education policy includes providing special education to epileptic students solely on the basis of epilepsy. Robert Feldt, 1314 Kansas, Great Bend 67530, 316-792-3595.

[S1] Flynn v. Kansas State High School Activities Ass'n. Dist. Ct. Johnson Co. 1980. TRO, then settled. A girl changed schools to join an honors program and was, therefore, ruled ineligible to participate on the tennis and debate teams. Norman Gaar, Building 14, Corporate Wood, 8714 W. 110th Street, Overland Park 66210, 913-642-0001.

[D1 D8 P2] Ford v. Auburn-Washburn Unified School Dist. No. 437. Dist. Ct. Shawnee Co. May 1981. TRO denied; failure to exhaust administrative remedies. Expulsion for rest of year; student wishes to study at home and take exams, claiming the school violated student's right to education. Also alleges failure to evaluate for possible special education. Anne Lolley; Eidson, Lewis, Porter & Haynes, 1300 Merchants National Bank, Topeka 66612, 912-233-2332.

[S1] Lutt v. Kansas State Activities Ass'n. Dist. Ct. Shawnee Co. Jan. 1981. TRO, then withdrawn. Whether a student voluntarily transferring is ineligible to compete for a year in debate. Eugene B. Ralston; Ralston & Frieden, Box 639, Topeka 66601, 913-232-7266.

[E4] Mexican American Council on Ed. v. Unified School Dist. No. 457 Bd. of Ed. U.S. Dist. Ct. Aug. 1980. Class action. 14 CHR 761. Whether the school district is meeting its obligation to provide bilingual education for Hispanic students. Luis Mata, Kansas Rural Legal Services, 118-1/2 Grant, Garden City 67846, 316-275-0238.

[S2] Pouncil v. Kansas State High School Activities Ass'n. Dist. Ct. Wyandotte Co. 1980. TRO, then vacated. Case withdrawn and filed in federal court (infra); then, after federal case, refiled in state court. Decision, D. Student was ruled ineligible for sports because he passed too few courses. Thomas E. Sullivan; Cleaver, Sullivan & Shetlar, Santa Fe Law Building, 8000 Foster Street, Overland Park 66204, 913-648-3220.

[S2] Pouncil v. Kansas State High School Activities Ass'n. U.S. Dist. Ct. 1980. TRO denied. Student was ruled ineligible for sports because he passed too few courses. Thomas E. Sullivan; Cleaver, Sullivan & Shetlar, Santa Fe Law Building, 8000 Foster Street, Overland Park 66204, 913-648-3230.

[D2] Stoneberger v. Unified School Dist. State Dist. Ct. Apr. 1980. Class action. Decision May 1980, P. Whether a school policy that allows a school to reduce grades for excused and unexcused absences and tardiness is arbitrary and capricious because a waiver is sometimes allowed and excused absences are treated in the same manner as unexcused. David D. Gaumer; Wunsch, Wunsch, Gaumer and Solomon, P.O. Box 473, Kingman City 67068, 316-532-3113.

[P1] Unified School Dist. No. 259 v. State Bd. of Ed. Dist. Ct. Nov. 1980. Decision Jan. 1981, P. Sp. Ed. Whether the procedures of a pre-hearing conference meet the due process requirements of the Constitution. Mary Kathleen Babcock; Foulston, Siefkin, Powers and Eberhardt, 700 Fourth Financial Center, Wichita 67202, 316-267-6371.

KENTUCKY

[H2 H6] Age v. Bullitt Co. Public School. U S. Dist. Ct. W.D. Nov. 1978. Decision Jan. 1980, P. CCA 6 1980. EHLR 551:505. ELB 884. Sp. Ed. Whether a hearing impaired child whose I.E.P. requires education by the oral method is receiving an appropriate education in the least restrictive environment within the meaning of 94-142 when placed in a classroom with children who use sign language. Phillip E. Allen, 4211 Norbourne Blvd., Louisville 40207, 502-897-6479.

[R2] Barnes v. Bell. U.S. Dist. Ct. 1980. Suit contesting use of federal Title I moneys to pay teachers for special education in parochial schools. Lee Boothby, Americans United for Separation of Church and State, 8120 Fenton Street, Silver Springs, MD 20910, 301-589-3707.

[D8] Belt v. Travis. Cir. Ct. Crittenden Co. Jan. 1979. Decision Apr. 1979, D. Whether students were suspended without proper notice of the charges and opportunity to present evidence. James E. Story; Story and Ovey, P.O. Box 216, Eddyville 42038, 502-388-9862.

[R1] Conn v. Montgomery Co. Bd. of Ed. Cir. Ct. Franklin Co. May 1980. Class action. Plaintiffs contest a school sex education program on the grounds of freedom of religion. Whether a child may be compelled to take part. Theodore H. Amshoff, Jr.; Amshoff and Amshoff, 3260 First National Tower, Louisville 40202, 502-582-2419.

[D8] Davis v. Clark Co. Bd. of Ed. Cir. Ct. Charles Co. Oct. 1980. Decision Nov. 1980, P. Ct. of Appeals Feb. 1981. Suit attacking the expulsion procedures of the Charles County School System. Julia Hylton Adams, P.O. Box 313, Winchester 40391, 606-745-4289.

[O1] Frederick v. Jefferson Co. Bd. of Ed. Cir. Ct. Franklin Co. May 1980. Class action. Whether a child may be compelled to take part in a school sex education program. Theodore H. Amshoff, Jr.; Amshoff and Amshoff, 3260 First National Tower, Louisville 40202, 502-582-2419.

[R4] Hinton v. Kentucky State Bd. of Ed. Cir. Ct. 1978. Decision Oct. 1978, P. ELB 766. Kentucky Supreme Ct. decision Oct. 1979, M. Teachers and parents of a religious school contest state regulation of curriculum, bylaws, and teacher certification on freedom-of-religion grounds. Theodore H. Amshoff, Jr.; Amshoff and Amshoff, 3260 First National Tower, Louisville 40202, 502-582-2419.

[S1] Jackson v. Kentucky High School Ath. Ass'n. Cir. Ct. Whitley Co. 1978. Decision 1978, P. Ct. of Appeals 1978. Decision 1979, P. 569 S.W. 2d 185. Suit to obtain a waiver of the transfer rule. William L. Rose, 200 Cumberland Ave., Williamsburg 40769, 606-549-3828.

[D8] Jones v. Clark Co. Bd. of Ed. Cir. Ct. Clark Co. Oct. 1980. Decision Nov. 1980, P. Ct. of Appeals Feb. 1981. Suit attacking the expulsion procedures of the Clark County school system. Donnie H. White, 512 Security Trust Building, Lexington 40507, 606-233-4187.

[P2] Kaelin v. Grubbs. U.S. Dist. Ct. E.D. May 1979. Decision Jan. 1981, P. CCA 6 Jan. 1981. Sp. Ed. Whether a handicapped child can be expelled under normal procedures instead of procedures under 94-142. James K. Rogers, Northern Kentucky Legal Aid, 302 Greenups Street, Covington 41011, 606-431-8200.

[D4 H3] Lapille v. Williams. U.S. Dist. Ct. E.D. March 1980. Sp. Ed. Suit for damages for failure to place student in a special education program in the school and for damages for corporal punishment. William G. Wilder; Wilder and Koch, 7529 Sussex Drive, Florence 41042, 606-371-9211.

[S2] Nelson v. Kentucky High School Ath. Ass'n. Cir. Ct. Calloway Co. 1979. Decision 1979, D. Ct. of Appeals 1979. Decision 1979, D. Student sues to play basketball in the second semester of the year after he was ruled ineligible because he played only one game in the first semester. William Rummage; Rummage, Kamuf, Yewell & Pace, 322 Fredericka Street, Owensboro 42301, 502-685-3901.

[D1 D6] Petrey v. Flaugher. U.S. Dist. Ct. 1980. Decision Jan. 1981, M. Challenge to procedural violation was settled in favor of plaintiff. Plaintiff sues to have her expulsion expunged from her school records, claiming that expulsion for the remainder of the school year is too great a penalty for smoking marijuana. Kate Cunningham, Northern Kentucky Legal Aid Society Inc., 302 Greenup Street, Covington 41011, 606-431-8200.

[B2] Roosevelt Community School Inc. v. Jefferson Co. Bd. of Ed. Cir. Ct. Jefferson Co. May 1980. TRO, then decision July 1980, D. 14 CHR 471. Students and a community group sue to keep an elementary school open, alleging due process violations by the Board. Walter Smith, Dennis Bicking, and Maggie Swenson, Legal Aid Society, 425 W Mohammed Ali Blvd., Louisville 40202, 502-584-1254.

[D8 E2] Stevenson v. Jefferson Co. School Bd. U.S. Dist. Ct. W.D. May 1980. Class action. 14 CHR 762, 1293. Students allege that the school's disciplinary policies and administrative procedures violate due process rights and discriminate against blacks. Geneva F. Perry, Legal Aid Society of Louisville, 425 W. Muhammed Ali Blvd., Louisville 40202, 502-584-1254.

[R2] Stone v. Graham. Cir. Ct. Franklin Co. 1978. Decision D. Kentucky Supreme Ct. Decision Apr. 1980, D. 599 S.W. 2d 157. Decision Nov. 1980, P. 101 S. Ct. 192. Challenge to constitutionality of state statute requiring posting of a copy of the Ten Commandments (paid for by voluntary contributions) in each classroom. William C. Stone, 2100 First National Tower, Louisville 40202, 502-589-4600.

[S2] Taylor v. Roberts. Cir. Ct. Madison Co. Feb. 1981. Preliminary injunction Mar. 1981. A girl contests dismissal from the cheerleading team for being overweight. James T. Gilbert; Coy, Coy, Gilbert and Moberly, 212 N. Second Street, Richmond 40475, 606-623-3877.

[H0] Thornsberry v. Kentucky Dept. of Ed. U.S. Dist. Ct. E.D. April 1980. Sp. Ed. Action to compel the local school district to comply with hearing officer's decision, to require the state educational agency to enforce such compliance, and to require defendant to provide plaintiff with compensatory education for the time lost. John C. Henriksen, Protection and Advocacy Division, State Office Building Annex, Frankfort 40601, 502-564-2967.

[R2] Van Hoose v. Williams. U.S. Dist. Ct. 1980. Suit to enjoin the state from loaning textbooks to private schools. Lee Boothby, Americans United for Separation of Church and State, 8120 Fenton Street, Silver Springs, MD 20910, 301-589-3707.

[B2] Wilding v. Jefferson Co. Bd. of Ed. Cir. Ct. Jefferson Co. Feb. 1981. Decision Mar. 1981, D. Suit contesting the closing of a school, alleging violation of the state constitution. Louis R. Guenthner, 235 S. Fifth Street, Louisville 40202, 502-589-5714.

LOUISIANA

[D4] Arceneaux v. Orleans Parish School Bd. Civil Dist. Ct. Orleans Parish Dec. 1977. Suit for damages for corporal punishment. Harold Douglas, 1306 One Shell Square, New Orleans 70139, 504-821-5255.

[R3] Karen B. v. Treen. U.S. Dist. Ct. E.D. Dec. 1980. Decision Jan. 1981, D. CCA 5 Dec. 1980. Constitutionality of state statute authorizing school prayer--the teacher selects a student each day to recite a prayer before the class--students can leave class during prayer. Carol Shauffer; Louisiana C.L.U., 606 Common St., New Orleans 70130, 504-522-0617.

[B1] Broman v. Orleans Parish Ind. School Dist. U.S. Dist. Ct. Aug. 1977. Decision 1977, D. Suit against New Orleans school to get child into high school contesting rule that a student, transferring into the state, cannot attend the school for the educationally talented as a junior. Damon Capps, Suite 1230, Capitol National Bank Bldg., 1300 Main Street, Houston TX 77002, 713-658-8101.

[S1] Geusa v. Louisiana High School Ath. Ass'n. Dist. Ct. Orleans Parish 1979. Decision Nov. 1979, P. Ct. of Appeals. Decision Oct. 1980, D. 389 So. 2d 908. Student contested transfer rule for sports eligibility. Sidney Bach, 1652 First National Bank of Commerce Bldg., New Orleans 70112, 504-523-3141.

[B3] Harrison v. Morehouse Parish School Bd. Dist. Ct. Morehouse Parish 1977. Decision 1978, P. Ct. of Appeals, decision Feb. 1979, D. 368 So. 2d. 1113. Action to have child picked up at doorstep rather than bus stop, claiming that grandfather clause discriminates against new students. Crawford A. Rose, Jr., P.O. Box 30, Rayville 71269, 318-574-1706.

[E5] *Haymon* v. *Jefferson Parish School Bd.* U.S. Dist. Ct. E.D. Feb. 1977. Decision, Oct. 1977, P. ELB 716. Contesting separation of high school students into different schools on the basis of sex. Jack Peebles; District Attorney's Office, 619 S. White St., New Orleans 70119, 504-822-2414.

[R1 S2] *Holy Cross College, Inc.* v. *Louisiana High School Ath. Ass'n.* U.S. Dist. Ct. M.D. 1979. Decision, D. CCA 5 1979. Decision Dec. 1980, P. Remanded. 632 F.2d 1287. Rehearing denied. 636 F.2d 314. Challenge to application of Association's rule that use of "undue influence" to secure or retain a student results in ineligibility for one year. High school coach spoke to students at another school. Alleges violation of First Amendment guarantee of freedom of speech. William F. Wessel, 127 Camp Street, New Orleans 70130, 504-568-1112.

[B1 E1] *LaBorde* v. *United States*. Dist. Ct. Lafayette Parish Oct. 1980. Decision Nov. 1980, P. Removed to U.S. Dist. Ct. Decision Jan. 1981, D. CCA 5 Feb. 1981. Whether children can change schools by changing legal residency by becoming wards of a guardian living in a school district different from that of the parents. It is contended that the change evades a Federal Court desegregation order. J. Minos Simon, P.O. Box 52116, Lafayette 70505, 318-233-4625.

[D4] *McKinney* v. *Greene*. Dist. Ct. 1978. Decision P. Ct. of Appeals decision Dec. 1979, M. 379 So. 2d 69. Review denied by the Louisiana Supreme Ct. Damage action, claiming that a teacher kicked the plaintiff child to prevent a fight. Vernon McManus; Tate and McManus, P.O. Box 666, Eunice 70535, 318-457-5266.

[D1] *Morgan* v. *Southwood Academy*. Dist. Ct. 1978. Ct. of Appeal decision Apr. 1979, P. 371 So. 2d 1202. Whether private school officers can refuse readmission to children because of the children's mother's argument with the school librarian. Edward Alker, Route 4, Box 90K, Folsom 70437, 504-796-3254.

[H1] *Santopadre* v. *Orleans Parish School Bd*. Civil Dist. Ct. Sept. 1979. Sp. Ed. Contesting placement in public schools. E. Gordon Schaefer, P.O. Box 817, Metairie 70001, 404-834-7676.

[H6 P1] *Sessions* v. *Livingston Parish School Bd.* U.S. Dist. Ct. M.D. 1980. Class action. Decision Nov. 1980, D. 501 F. Supp. 251. Sp. Ed. Failure to provide sufficient education to handicapped because handicapped children are not separated by age or handicap. Dismissed for failure to exhaust administrative remedies. Woodrow W. Wyatt; Wyatt and Weimer, 3623 Perkins Rd., Baton Rouge 70808, 504-383-5689.

[H7] *Sins* v. *Orleans Parish School Bd.* U.S. Dist. Ct. E.D. July 1980. Sp. Ed. Extent of school year--instruction during the summer. Alvin R. Childress III, 234 Loyola Ave., New Orleans 70112, 504-522-3881.

[D8] *Smith* v. *Livingston Parish School Bd.* Dist. Ct. East Baton Rouge Parish 1980. TRO 1980. Suit to require hearing before a suspension. Dennis R. Whalen, 201 Napoleon St., Baton Rouge 70802, 504-344-1654.

[H5 P1] *Stolhoff* v. *East Baton Rouge Parish School Bd.* Dist. Ct. East Baton Rouge Parish May 1980. Decision May 1980, P. Sp. Ed. Mandamus action to force school district to hold a due process hearing for child younger than minimum age for special education. Leo J. Berggreen; Wyatt and Weimer, 3623 Perkins Rd., Baton Rouge 70808, 504-383-5689.

[H2] Stolhoff v. East Baton Rouge Parish School Bd. U.S. Dist. Ct. E.D. Dec. 1980. Sp. Ed. Suit to admit hearing impaired child into regular classroom. Leo J. Berggreen; Wyatt and Weimer, 3623 Perkins Rd., Baton Rouge 70808, 504-383-5689.

[R1 S2] Taglauer v. Louisiana High School Ath. Ass'n. U.S. Dist. Ct. 1981. Decision 1981, D. The Association ruled the defendant ineligible for sports because she lives outside the public school district (but goes to a religious school), and the ruling is attacked on freedom-of-religion grounds. Robert Belknap; Sapir & Belknap, 434 South Broad Street, New Orleans 70119, 504-821-4840.

[H7 P1] Taylor v. Lafayette Parish School Bd. U.S. Dist. Ct. W.D. Nov. 1979. Sp. Ed. Whether school has to give a full extended school year program beyond the regular 9 month program. Whether suit can be brought in court without exhausting state administrative remedies when the hearing is delayed. Anthony M. Fazzio; Hayes, Fazzio and Durio, P.O. Box 4026-C, Lafayette 70502, 504-581-6641.

[D4] Thomas v. Bedford. Dist. Ct. 1979. Decision D. Ct. of Appeals. Decision Sept. 1980, P. 389 So. 2d 405. Whether corporal punishment by teacher exceeded reasonable force, and measure of damages. John M. Frazier, 142 Olive Street, Shreveport 71104, 318-227-8282.

[D4] Thompson v. Iberville Parish School Bd. Dist. Ct. Iberville Parish 1978. Decision 1978, P. Ct. of Appeal decision May 1979, D. 372 So. 2d 642. Review denied by the Louisiana Supreme Ct. Suit for damages because teacher kicked disruptive child. Steve H. Benton; Benton, Benton, and Benton, 601 St. Ferdinand St., Baton Rouge 70802, 504-343-6611.

[P1] Trahan v. St. Charles Parish School Bd. U.S. Dist. Ct. E.D. Oct. 1980. Sp. Ed. Due process violations alleged because school officials failed to inform parents of rights under handicapped laws and failed to hold a hearing promptly after parents requested the hearing. David L. Landry; Deramee and Deramee, P.O. Box 547, Thibodaux 70301, 504-447-9008.

[D4] Watkins v. Bryan. Civil Dist. Ct. Jan. 1980. Suit against teacher and school for damages arising from teacher striking student. Norman Mopsik, 3731 Canal Street, New Orleans 70119, 504-524-7525.

[D8] Whiteside v. Kay. U.S. Dist. Ct. W.D. 1978. Decision Mar. 1978, D. 446 F. Supp. 716. CCA 5 1978. Moot. Student contested the statutory procedure used in expelling him. Catherine L. LaFleur, David Duhon; North Louisiana Legal Assistance Corp., 911 N. Washington St., Bastrop 71220, 318-281-8466.

[D8 F1] Williams v. Turner. Dist. Ct. Caldwell Parish 1979. Decision 1979, D. CCA 5 decision March 1980, D. 382 So. 2d 1040. Due process in expulsion hearing. Whether threats against teacher are protected by First Amendment. Martha Minnieweather, 113 W. Jefferson Street, Bastrop 71220, 318-283-1130.

MAINE

[H0 H5] Advocates for the Developmentally Disabled v. State of Maine. Superior Ct. Androscoggin Co. May 1981. Sp. Ed. Suit to have the plaintiff appointed as surrogate parents for mentally retarded children. Whether the children are so severely retarded that special education cannot be given. Harold Lichten; Pinetree Legal Assistance, 277 Lisbon Street, Lewiston 04240, 207-784-1558.

[P2] Bedard v. Windham School Dept. U.S. Dist. Ct. May 1980. Sp. Ed. Expulsion of child identified by another school as handicapped; defendant school did not provide a special education program and expelled child. Also sues for attorney fees and to have records expunged. Lucinda White; Pine Tree Legal Assistance, 146 Middle Street, Portland 04101, 207-774-8211.

[D8] Buxton v. Deer Isle-Stonington Community School Dist. Superior Ct. Hancock Co. 1978. Withdrawn. Expulsion of students contested on due process grounds, claiming lack of adequate notice of charges and rights. Jean Sampson; Maine Civil Liberties Union, 97-A Exchange Street, Portland 04101, 207-774-5444.

[H2] Egan v. School Admin. Dist. 57. U.S. Dist. Ct. Jan. 1977. Settled. 12 CHR 1002. ELB 723. Sp. Ed. Suit to maintain a mentally retarded child in public school after the school proposed sending her to a school for the handicapped. Michael Asen; Anthony, Asen, Howison, Hayden and Landis, P.O. Box 585, Portland 04112, 207-775-6371.

[R2] Fowley v. Hoyt. U.S. Dist. Ct. Jan. 1980. Settled. Whether distribution of Gideon Bibles in the fifth grade violates federal and state constitutions. Joseph Lenkowski (MCLU Volunteer), 74 Beach St., Saco 04072, 207-282-5985.

[D5 D8] Hanington v. Rumford School Admin. Dist. Superior Ct. Oxford Co. Nov. 1980. Settled. Whether students can be expelled for refusing to empty their pockets when found in the woods (search and seizure issue), and whether due process requires written notice of hearing and grounds. Michael Asen (MCLU Volunteer); Anthony, Asen, Howison, Hayden and Landis, P.O. Box 585, Portland 04112, 207-775-6371.

[S2] Manchester, Mt. Vernon, Readfield, & Wayne Community Schools v. Maine Secondary School Principals' Ass'n. Superior Ct. Kennebec Co. Feb. 1977. Decision Feb. 1977, D. Student requests relief from the eight-semester sports eligibility rule. Peter T. Dawson; Sanborn, Moreshead, Schade & Dawson, 341 Water Street, P.O. Box 2305, Augusta 04330, 207-623-3579.

[D5] McCrillis v. Bernard. U.S. Dist. Ct. Jan. 1979. Class Action. Settled. 12 CHR 830. Suit for injunction and damage action in regard to searches of students, claiming lack of probable cause. Robert E. Mittel; Sewall, Mittel, & Hefferan, 178 Middle Street, Portland 04101, 207-775-3101.

[H1 P1] McGhee v. School Admin. Dist. 15 (1st case). U.S. Dist. Ct. May 1979. Sp. Ed. Whether the school should reimburse the parents for private placement. Whether administrative remedies were exhausted. G. Curtis Webber; Linnell, Choate and Webber, P.O. Box 190, Auburn 04210, 207-784-4563.

[H1] McGhee v. School Admin. Dist. 15 (2nd case). U.S. Dist. Ct. 1979. Sp. Ed. Whether school provided approved program for learning disabled child. Whether the school board should reimburse the parents for private placement when the parents made the placement before hearing was held. G. Curtis Webber; Linnell, Choate and Webber, P.O. Box 190, Auburn 04210, 207-784-4563.

[H1 H7] McGhee v. School Admin. Dist. 15 (3rd case). U.S. Dist. Ct. 1980. Sp. Ed. Whether school should reimburse parents for private placement of learning disabled child; whether the school should provide a summer program. G. Curtis Webber; Linnell, Choate and Webber, P.O. Box 190, Auburn 04210, 207-784-4563.

[D1 D8] Nadeau v. Caribou Schools Dept. Superior Ct. 1979. Preliminary injunction, 1979. Withdrawn. Whether school can suspend child for more than 10 days without a formal hearing. Whether principal has power to suspend student for more than 10 days. Bernard O'Mara, P.O. Box 336, Easton 04740, 207-488-5821.

[R2] Neptune v. Millett. U.S. Dist. Ct. Feb. 1979. Moot. Suit by students and taxpayers to prohibit religious teaching in a public school--teachers are nuns who teach religious classes in the same classroom and with the same students as in their secular instruction. Hugh Calkins (MCLU Volunteer), 7 Green St., Dover-Foxcroft 04420, 207-942-8241.

[H6 P1] Norton v. School Admin. Dist. 6. Superior Ct. 1979. Decision 1979, D. Sp. Ed. Requesting full day kindergarten program for handicapped child. Whether state level administrative appeal is necessary to exhaust administrative remedies. Allison Morrill, P.O. Box 7467, Portland 04112, 207-773-7431.

[D1] Rudge v. School Admin. Dist. 6. Superior Ct., Feb. 1977. Settled. ELB 656. Whether school can suspend a student for the remainder of the school year for smoking marijuana; plaintiff claims that the school applied an irrebuttable presumption that smoking marijuana required suspension. Michael Asen; Anthony, Asen, Howison, Hayden and Landis, P.O. Box 585, Portland 04112, 207-775-6371.

[H1] School Admin. Dist. 6 v. Norton. Superior Ct. 1980. Settled. Sp. Ed. Whether the school should provide private day school placement and reimbursement for past tuition. Donald A. Kopp, 477 Congress Street, Portland 04101, 207-775-7271.

[H7] Smith v. Raynolds. U.S. Dist. Ct. July 1980. Class Action. 14 CHR 578. Sp. Ed. Whether severely handicapped students are entitled to more than a 40-week school year. Harold Lichten; Pine Tree Legal Services, 722 Lisbon St., Lewiston 04240, 207-784-1558.

[H1] Wright v. School Admin. Dist. 17. Superior Ct. 1978. Sp. Ed. Appeal from hearing officer's decision that the school's special education program was adequate, and suit for reimbursement for residential placement. David J. Corson, 76 Main St., Yarmouth 04096, 207-846-3388.

MARYLAND

[H6] Alley v. Anne Arundel Co. Bd. of Ed. U.S. Dist. Ct. Nov. 1979. Class action. Consent decree. ELB 911. Sp. Ed. Whether the local school system violated 94-142 by not employing sufficient physical and occupational therapists to provide the services specified in children's IEPs. Martha Wyatt; Fegum, Cochran, Chartrand and Wyatt, P.O. Box 191, Annapolis 21404, 301-263-3001 and Curtis L. Decker and Eugene Kowalczuk, Md. Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[E3] Armour v. Bd. of Ed. of Montgomery Co. Cir. Ct. Montgomery Co. 1978. Class action. Moot when the Bd. of Ed. ruled for P. Whether school can charge alien students tuition in Montgomery County. Alfred Scanlan; Shea and Gardner, 1800 Massachusetts Ave., Washington, D.C. 20036, 202-828-2000.

[B1] Baron v. Bernardo. U.S. Dist. Ct. 1978. Disposition not known. Student living in an apartment in the district, away from her family, contests tuition charge. Charles H. Baron, Address unknown.

[H1] Brewer v. Montgomery Co. Bd. of Ed. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Type of placement necessary for health-impaired youngster; seeking private placement as opposed to public school. Jerry Dresner, Maryland Advocacy Unit for DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[H1] Bulman v. State Bd. of Ed. Cir. Ct. Dec. 1978. Settled. Sp. Ed. Whether a handicapped child's proper placement was in an out-of-state school. Leonard Bulman, 155 Duke of Gloucester Street, Annapolis 21401, 301-269-6877.

[H1] Matter of Candie v. Bettis. Cir. Ct. Prince George's Co. 1981. Sp. Ed. County is contesting an administrative ruling that the schools should reimburse parents for private placement. Richard Daniels; Reichelt, Nussbaum & Brown, 3723 34th Street, Mt. Rainier 20822, 301-779-9000.

[H4] Doe v. Bd. of Ed. Montgomery Co. Cir. Ct. 1978. Ct. of Special Appeals decision Dec. 1980, D. Sp. Ed. Damages sought because child with dyslepia was misdiagnosed as being mentally retarded. Gerald Longest, 11300 Rockville Pike, Rockville 20852, 301-984-9200.

[H1] Doe v. Montgomery Co. Bd. of Ed. U.S. Dist. Ct. 1979. Settled. Sp. Ed. Suit to continue private school placement after the school had changed placement back to public school. David E. Kartalia, 8 N. Court Street, Westminster 21157, 301-848-3222.

[H1] Gorham v. Hornbeck. U.S. Dist. Ct. 1979. Withdrawn. Sp. Ed. Suit seeking private placement. Ralph Moore; Shea and Gardner, 1800 Massachusetts Ave., Washington, D.C. 20036, 202-828-2000.

[F1] Green v. Montgomery Co. Bd. of Ed. U.S. Dist. Ct. Oct. 1980. Contesting suspension of a girl for wearing a Confederate flag; on First Amendment grounds. Cameron Kerry; Wilmer Cutler and Pickering, 1666 K St., Washington, D.C. 20006, 202-872-6000.

[B2] Grosvenor P.T.A. v. Andrews. Cir. Ct. Montgomery Co. Jan. 1980. Withdrawn. Suit contesting the closing of schools, alleging that the closing conflicted with the announced policy of school board concerning school closings. Gary Simpson, 7315 Wisconsin Ave., Bethesda 20014, 301-656-7013.

[H1] Hasse v. State Bd. of Ed. Cir. Ct. Montgomery Co. 1979. Decision 1980, D. Sp. Ed. Suit for private placement. Defense attorney is Richard Ekstrand; McGill, Ekstrand, and Collery, 966 Hungerford Dr., Rockville 20850, 301-424-7850.

[H1] Haase v. State Bd. of Ed. U.S. Dist. Ct. 1979. Decision 1980, D. Sp. Ed. Suit for private placement. Defense attorney is Richard Ekstrand; McGill, Ekstrand, and Collery, 966 Hungerford Dr., Rockville 20850, 301-424-7850.

[A2] Hunter v. Montgomery Co. Bd. of Ed. Cir. Ct. Oct. 1977. Decision Aug. 1979, D. Ct. of Special Appeals decision Feb. 1981, D. Application to Maryland Ct. of Appeals 1981. Damage suit for educational malpractice alleging damages from actions, made purposely and without reasonable cause, that led to lack of education. Browne L. Kooken; Dukes and Kooken, 300 Landover Mall West, Landover 20785, 301-322-7300.

[D8] Jablinske v. Anne Arundel Co. Bd. of Ed. Cir. Ct. Anne Arundel Co. June 1980. Decision June 1980, D. Due process on suspension just prior to high school graduation. Martha Wyatt; Legum, Cochran, Chartrand and Wyatt, P.O. Box 191, Annapolis 21404, 301-263-3001.

[H1] Kloper v. Montgomery Co. Bd. of Ed. U.S. Dist. Ct. 1979. Decision, D. Sp. Ed. Parents trying to get reimbursement for private placement after taking the child out of the school-approved program. David E. Kartalia, 8 N. Court Street, Westminister 21157, 301-848-3222.

[H4] Lamon v. Baltimore Co. Bd. of Ed. Cir. Ct. Baltimore Co. 1980. Sp. Ed. Damage suit for misclassifying deaf-blind child as retarded and not educating the child. Roslyn Soudry, 201 N. Charles St., Baltimore 21201, 301-685-0600.

[P1] Lewis v. Montgomery Co. Bd. of Ed. U.S. Dist. Ct. Aug. 1978. Settled. Sp. Ed. Due process on hearing to determine appropriate education, - conflicts between state and federal education regulations. Martha Wyatt; Legum, Cochran, Chartrand, and Wyatt, P.O. Box 191, Annapolis 21404, 301-263-3001.

[H1 P1] Marchese v. State Dept. of Ed. U.S. Dist. Ct. 1979. Settled. Sp. Ed. Whether child should have residential or day care services; due process rights of divorced father. Albert Shore; Bell, Cornelius, and Shore, 101 W. Jefferson St., Rockville 20850, 301-762-1717.

[P2] Mathew v. Hartford Co. Bd. of Ed. U.S. Dist. Ct. Jan. 1981. Settled. Sp. Ed. Contesting expulsion of a handicapped child, alleging procedural faults. Eleanor Montgomery, Maryland Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[D1 D8] Oertel v. Anne Arundel Co. Bd. of Ed. Cir. Ct. Anne Arundel Co. May 1981. Settled. Suit alleging lack of notice and due process in suspension of student for infractions occurring off campus, claiming that the school must readmit the student because juvenile charges were dismissed. Martha Wyatt; Legum, Cochran, Chartrand & Wyatt, P.O. Box 191, Annapolis 21404, 301-263-3001.

[H1] Pickett v. Prince George's Co. Bd. of Ed. U.S. Dist. Ct. Nov. 1977. Settled. Sp. Ed. Suit requesting placement in a private residential facility. N. Gregory Silverberg, address unknown.

[H1] Pitt v. Prince George's Co. U.S. Dist. Ct. Dec. 1980. Settled. Sp. Ed. Suit for placement in a private school. Lydia Darr; Maryland Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[H2 P2] Pratt v. Bd. of Ed., Frederick Co. U.S. Dist. Ct. 1980. Settled. 501 F. Supp. 232. Sp. Ed. Whether handicapped children are subject to the same short-term suspension rules as non-handicapped children. The parents seek special classes in school, while the school wants to provide residential placement. Eleanor Montgomery, Maryland Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[P2] H.R. v. Hornbeck. U.S. Dist. Ct. Feb. 1981. Class action. Sp. Ed. Contesting suspension procedure for handicapped children. Winifried DePalma, Maryland Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[H5] Saunders v. Prince George's Co. Bd. of Ed. U.S. Dist. Ct. Nov. 1977. Settled. Sp. Ed. Whether the plaintiff's disabilities were so severe that the Board of Education did not have to provide educational services. N. Gregory Silverberg, address unknown.

[H2] Sewell v. Bd. of Ed. of Saint Mary's Co. U.S. Dist. Ct. 1980. Settled. Sp. Ed. Suit for less restrictive environment--child wanted placement in a regular school instead of special school. Roger Myerberg; Sawyer and Myerberg, 309 Great Mills Rd., Lexington Park 20653, 301-863-9434.

[B2] Sher v. Bd. of Ed. Cir. Ct. Montgomery Co. 1980. Withdrawn. Freedom of information suit to get reports of school system staff concerning a school closing. Michael Cramer, 200A Monroe St., Rockville 20850, 301-424-0677.

[E7] Somerset Co. Bd. of Ed. v. Hornbeck. Cir. Ct. Baltimore Co. Feb. 1979. Decision May 1981, P. School financing dispute, contesting the distribution of funds to school systems by the State Board of Education on state constitution equal protection grounds. Nell Strachen; Venable, Baetjer, and Howard, 1800 Mercantile Bank and Trust Building, 2 Hopkins Plaza, Baltimore 21201, 301-752-6780.

[H1] Stemple v. Bd. of Ed. of Prince George's Co. U.S. Dist. Ct. 1977. Decision Jan. 1979, D. 464 F. Supp. 258. CCA 4. Decision Aug. 1980, D. 623 F.2d 893. Sp. Ed. Whether parents had a duty to keep handicapped child in present placement during administrative proceedings, and whether failure to do so negates board's obligation to reimburse for private placement made by parents. Donald N. Bersoff, University of Maryland at Baltimore, School of Law, Baltimore 21201, 301-528-7214.

[F5] Syska v. Montgomery Co. Bd. of Ed. Cir. Ct. 1979. Decision 1979, D. Ct. of Appeals 1979. Decision June 1980, D. 415 A.2d 301. Appeal to U.S. Supreme Ct. denied 1981 (no substantial federal question). Mother refused to have children inoculated to meet state requirement for school attendance. Mother had secular, philosophical beliefs opposed to inoculation. James G. Kolb, 414 Hungerford Dr., Rockville 20850, 301-340-6850.

[H1] Taylor v. State Dept. of Ed. U.S. Dist. Ct. July 1980. Sp. Ed. Whether the state should pay for residential placement of handicapped students. Martha Wyatt; Legum, Cochran, Chartrand, and Wyatt, P.O. Box 191, Annapolis 21404, 301-263-3001, Eugene Kowalczuk, Legal Aid Bureau, Box 943, Annapolis 21401, 301-269-0866.

[D1 D5] Taylor v. Somerset Bd. of Ed. Cir. Ct. Somerset Co. April, 1981. Contesting an expulsion, claiming that a search of students was without probable cause and violated the Fourth Amendment; and claiming lack of evidence that the material found was a controlled substance. Dale Watson, 111 Baptist Street, Salisbury 21801, 301-546-4694.

[R2] Thomas v. Hill. Cir. Ct. Allegany Co. Mar. 1981. Decision 1981, D. Ct. of Appeals May 1981. Suit by students at non-public high school challenging refusal of county board to permit them to enroll in selected curricular public school programs. Circuit Court held that non-public school students are ineligible to attend public schools on a part-time basis and must choose either public or private school for their entire education. Robert A. Destro, Catholic League for Religious and Civil Rights, 1100 West Wells Street, Suite 501, Milwaukee 53233, 414-289-0170.

[D1 D8] Thompson v. Baltimore Co. Bd. of Ed. U.S. Dist. Ct. 1977. Class action. Sec. 1983 action contesting policy mandating expulsion of students found in possession of marijuana or alcohol, and contesting procedure in disciplinary decisions by the school board. Barbara Mello, University of Baltimore Law School, 1420 N. Charles Street, Baltimore 21201, 301-659-3091.

[H4 H9] Waskiewicz v. Baltimore Co. Bd. of Ed. U.S. Dist. Ct. Aug. 1980. Sp. Ed. Whether a student should be classified as emotionally disturbed or socially maladjusted. If emotionally disturbed, the school district is responsible for the child's education. If maladjusted, the Social Welfare Division takes care of child. Jerry Dresner, Maryland Advocacy Unit for the DD, 2616 Maryland Ave., Baltimore 21218, 301-383-3400.

[B2] Welch v. Baltimore Co. Bd. of Ed. Cir. Ct. Baltimore Co. 1979. Class action. Decision 1979, D. Contesting school closing; claiming that the Board violated its own policies, did not allow citizen input, and failed to look at alternatives to closing. Alan E. Harris, 222 St. Paul Place, Baltimore 21202, 301-385-0550.

[B2] Welch v. Baltimore Co. Bd. of Ed. U.S. Dist. Ct. 1979. Decision July 1979, D. 477 F. Supp. 959. Contesting school closing, claiming that the Board violated its own policies, did not allow citizen input, and failed to look at alternatives to closing. Alan E. Harris, 222 St. Paul Place, Baltimore 21202, 301-385-0550.

[F1] Williams v. Spencer. U.S. Dist. Ct. May 1978. Decision 1980, D. CCA 4 decision June 1980, D. 622 F.2d 1200. First Amendment case concerning the right of students to distribute a newspaper on the high school campus. Mike Simpson, National Education Association, 1201 16th Street N.W., Suite 801 E, Washington, D.C. 20036, 202-833-4451.

MASSACHUSETTS

[H1] Abrahamson v. Hershman. U.S. Dist. Ct. Nov. 1980. Preliminary injunction Jan. 1981. EHLR 552:289. Sp. Ed. Whether the school should provide residential placement. Kenneth Margolin, 27 School St., Boston 02108, 607-523-5271.

[H1] Acton-Boxboro Regional School Dist. v. Dept. of Ed. Superior Ct. Middlesex Co. Sept. 1977. Settled. Sp. Ed. Whether there should be retroactive payment for cost of residential placement. John Woodard; Powers and Hall, 100 Franklin St., Boston 02110, 617-357-1532.

[H1] Acton-Boxboro Regional School Dist. v. Dept. of Ed. Superior Ct. Middlesex Co. Sept. 1978. Settled. Sp. Ed. Whether the school district must pay child's tuition in a private school for the full school year, even though an acceptable plan for education in public school was developed in the middle of the school year. John Woodard; Powers and Hall, 100 Franklin St., Boston 02110, 617-357-1532.

[H8] Amherst-Pelham Schools v. Community Homes for Children. Superior Ct. Hampshire Co. 1980. Settled. Sp. Ed. Obligation of town to provide transportation to public school for a handicapped child when special transportation facilities are needed. David Burres, 19 Pray St., Amherst 01002, 413-549-3505.

[H1] Angier v. Anrig. U.S. Dist. Ct. Nov. 1979. Sp. Ed. Whether child should be placed in private day school at school board expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[B1] Anrig v. Joseph. Superior Ct. Suffolk Co. Jan. 1977. Decision Feb. 1977, P. Whether a school district must accept a child who is a ward of grandparents living in district, but whose parents live in another district. Sandra Moody, Department of Education, 31 St. James Ave., Boston 02116, 617-727-5716.

[B6 D7] Anton v. New Bedford School Dept. Superior Ct. Bristol Co. 1980. Injunction granted, 1980. Suit to permit student to participate in high school graduation ceremonies; the school denied permission to attend as punishment for actions taken by the student after school ended but before graduation. Anton Cruz; Tierney, Nickleson, and Cruz, P.O. Box J4203, New Bedford 02741, 617-999-6414.

[H6] Baird v. State Advisory Committee. Superior Ct. Norfolk Co. Aug. 1978. Moot. Sp. Ed. Suit for in-school services to handicapped high school student and for monitoring of the services. Paul M. Kane; McGrath and Kane, 10 Post Office Square, Boston 02109, 617-542-2288.

[H0] Bash v. Dept. of Ed. Superior Ct. Norfolk Co. July 1977. Sp. Ed. Issue unknown. Barry Mintzer; Mintzer, Hochberg, Stibel, and Biren, 27 State St., Boston 02109, 617-720-1000.

[R4] Bellotti v. Bailey. Superior Ct. Suffolk Co. Dec. 1980. Suit against a religious school to enforce a state statute that requires private schools to report the names of students to town school officials. Maria Lopez, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1090.

[R4] Bellotti v. Breazeale. Superior Ct. Suffolk Co. Apr. 1981. Suit against a religious school to enforce a state statute that requires private schools to report the names of students to town school officials. Maria Lopez, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1090.

[H1 H6] Bellotti v. Daviau. Superior Ct. Hampden Co. 1977. Consent decree. Sp. Ed. Suit against the town of Chicopee for failure to administer a special education program as required by state laws. Alan Posner, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1021.

[E6] Bellotti v. Massachusetts Interscholastic Ath. Ass'n. Supreme Judicial Ct. Oct. 1978. Decision 1979, P. 393 N.E. 284. The state sued to enjoin the association from enforcing its rule prohibiting boys on girls' teams. Robert H. Bohn, Jr., Attorney General's Office, 1 Ashburton Place, Room 1902, Boston 02108, 617-727-1090.

[R2] Bellotti v. School Committee of Essex. Superior Ct. Essex Co. 1980. Partial ruling, Feb. 1981, P. Enforcing state statute governing transportation rights of students of private schools; the defendant-town claims that the statute violates a state constitutional prohibition against aid to private schools. Maria Lopez, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1090.

[R4] Bellotti v. Steever. Superior Ct. Suffolk Co. Apr. 1981. Suit against a religious school to enforce a state statute that requires private schools to report the names of students to town school officials. Maria Lopez, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1090.

[H1] Berg v. Anrig. Superior Ct. Norfolk Co. Mar. 1977. Settled. Sp. Ed. Whether child should be placed in private day school at school committee expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H6] Berger v. Commonwealth. Superior Ct. Norfolk Co. Feb. 1979. Sp. Ed. The school contests the hearing examiner's decision that it should provide physical therapy for a child in school. Deborah Shanley; Murphy, Lamere & Murphy, 250 Grant Street, South Shore Plaza, Braintree 02184, 617-848-1850.

[H5 H6] Bershad v. School Committee of Marblehead. Superior Ct. Suffolk Co. 1978. Settled. Sp. Ed. Whether 94-142 requires treatment past 21 years old up to graduation. Whether the last IEP before graduation must include services by non-education agencies. Thomas Schiavoni, North Shore Children's Law Project, P.O. Box 710, Lynn 01903, 617-581-1977.

[S2] Bilodeau v. Massachusetts Interscholastic Ath. Ass'n. Superior Ct. Middlesex Co. 1981. TRO denied. Withdrawn. Student contests the defendant's ruling that he is ineligible for sports because of poor academic standing. Thomas J. Butters; Moulton & Looney, 50 Congress Street, Boston 02109, 617-742-5550.

[H0] Blomstrom v. Dept. of Ed. U.S. Dist. Ct. Nov. 1980. Sp. Ed. Issue not known. Paul Keeney; Murphy, Lamere, & Murphy, Braintree 02184, 617-848-1850.

[B2] Bd. of Ed. v. City of Boston. Superior Ct. Suffolk Co. Mar. 1981. Decision May 1981, P. Suit to compel City of Boston to keep its schools open for 180 days in 1980-81 school year, in spite of financial problems. Anthony Sager, Attorney General's Office, One Ashburton Place, Boston 02108, 617-727-1090.

[B1] Bd. of Ed. v. Dept. of Welfare. Suffolk Co. 1979. Decision 1979, P. Several school districts threatened to refuse admission to wards of the Department of Welfare because the Department refused to pay tuition (needed for children not residents of school district). The State Board of Education brought suit to force the Department to pay. Robert H. Bohn, Attorney General's Office, 1 Ashburton Place, Boston 02108, 617-727-1090.

[H1] Boldega v. Dept. of Ed. Superior Ct. Bristol Co. Dec. 1978. Sp. Ed. School contests the Department decision that a student should have private placement. Arthur Murphy; Murphy, Lamere & Murphy, 250 Grant St., South Shore Plaza, Braintree 02184, 617-848-1850.

[H9] City of Boston v. Grigsby. Superior Ct. Suffolk Co. 1979. Sp. Ed. Whether Boston or the state pays for special education of children bussed from Boston to surrounding communities (children bussed under METCO plan for voluntary transfer of minority students). Michael Betcher, Boston School Committee, 26 Court St., Boston 02108, 726-6433.

[H6] Braintree School Commission v. Dept. of Ed. Superior Ct. Norfolk Co. Aug. 1979. Sp. Ed. Whether a school must pay for psychiatric services for a child when parents claim it is necessary for the child's education. Paul Schneiders, 2184 Washington St., Braintree 02021, 617-828-7373.

[H1] Brennick v. Anrig. Superior Ct. Norfolk Co. Feb. 1977. Sp. Ed. Whether child should be placed in private day school at school board expense. Ann Vonl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1] Brindle v. Anrig. Superior Ct. Berkshire Co. Mar. 1977. Sp. Ed. Whether the child should be placed in a private institution. Thomas M. Sherman, City Solicitor's Office, City Hall, Pittsfield 01201, 413-499-1100.

[F4 H1 P1] Town of Burlington v. Doe. U.S. Dist. Ct. Feb. 1980. TRO denied, affirmed by CCA 1. Motion for summary judgment on one count denied, appealed to CCA 1. Sp. Ed. Placement in private school. Confidentiality of records--whether expert witnesses have access to the child's records. Whether a local education agency can appeal to federal court under 94-142. Whether there is pendent jurisdiction of the state law questions in federal court (plaintiff desires to introduce additional evidence under 94-142, but to use state substantive law). David Berman, George P. Hasset Drive, Medford 02155, 617-395-7520.

[H2 H4] Burns v. Westfield Public School. Superior Ct. Hampden Co. 1979. Sp. Ed. Contesting the automatic assignment of children to a pre-first grade program (for students considered not ready for the first grade) when their test scores are below a certain mark. Donald Graham, Pioneer Valley Legal Clinic, 588 Belmont, Springfield 01108, 413-781-0402.

[A3 D7] Burtchell v. Leicester School Committee. Superior Ct. Worcester Co. 1978. Decision March 1980, D. Damage suit for school's withdrawing diploma for reading "offensive" material in commencement address. Joel Pentlarge, Doane Road, Ware 01082, 413-967-3453.

[H1] Alfred C. v. Boston School Committee. Superior Ct. Suffolk Co. Jan. 1981. Sp. Ed. Parents appeal from a Department of Education decision holding that a substantially separate class in the public school system is appropriate placement rather than a private day school. Herbert D. Friedman, 160 Milk St., Boston 02109, 617-451-0141.

[H1] Luis C. v. Dept. of Ed. Superior Ct. Suffolk Co. Apr. 1981. Sp. Ed. Whether the school should provide private schooling. Herbert D. Friedman, 160 Milk St., Boston 01209, 617-451-0191.

[H1] Samuel C. v. Anrig. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Child seeks placement in a residential program. Charles E. Vander Linden, Central Mass. Legal Services, 435 Main St., Fitchburg 01420, 617-345-1946.

[H0] Cambridge v. Bureau of Sp. Ed. Appeals. Superior Ct. Middlesex Co. Dec. 1980. Sp. Ed. Issue unknown. Edward Cunningham, City Hall, 795 Massachusetts Ave., Cambridge 02139, 617-498-9020.

[H1] Cambridge v. Bureau of Sp. Ed. Appeals. Superior Ct. Middlesex Co. June 1978. Sp. Ed. The city contests the Bureau's award of private placement. Robert Sydney, City Hall, 795 Massachusetts Ave., Cambridge 02139, 617-498-9020.

[H1] Cambridge v. Bureau of Sp. Ed. Appeals. Superior Ct. Middlesex Co. Mar. 1977. Sp. Ed. The city contests the Bureau's award of private placement. Robert Sydney, City Hall, 795 Massachusetts Ave., Cambridge 02139, 617-498-9020.

[S2] Chambers v. Massachusetts Secondary School Principals' Ass'n. Superior Ct. 1978. Decision 1978, D. Student contested the 19-year old age limit for sports. Attorney unknown.

[H1] Commerford v. Dept. of Ed. Superior Ct. Suffolk Co. Feb. 1980. Sp. Ed. Placement in private facility. Barry Mintzer; Mintzer, Hochberg, Stibel and Biren, 27 State St., Boston 02109, 617-720-1000.

[H6 P2] Commonwealth v. Arlington School Committee. Superior Ct. Middlesex Co. Sept. 1979. Preliminary injunction Oct. 1979. ELB 899. Sp. Ed. Suit by the state and parents to enforce a decision of the Bureau of Special Education Appeals ordering reinstatement of suspended handicapped child and placement in a special education program. Thomas Mela, Massachusetts Advocacy Center, 2 Park Square, Boston 02116, 617-357-8431.

[H6] Costello v. Quincy Public Schools. Superior Ct. Suffolk Co. Aug. 1980. Sp. Ed. Suit to provide tutoring for handicapped child in school. Richard W. McLeod, 120 Front St., Worcester 01608, 617-753-4709.

[H4 H6] Town of Dartmouth v. Dept. of Ed. Superior Ct. Bristol Co. Nov. 1977. Settled. EHLR 552:313. Sp. Ed. Whether student evaluations had been properly conducted; whether the special education plan was adequate. Leonard Perry, P.O. Box H3102, New Bedford 02741, 617-996-8291.

[H6] Dedham School Committee v. Doe. Superior Ct. Norfolk Co. 1979. Withdrawn. Sp. Ed. Child in parochial school; parents wanted services of a psychiatrist in parochial school in a different town. Appeal by town from the hearing examiner's ruling for the town, made to preserve right to appeal to court after review by the Department of Education. Paul Maggioni, 628 High St., Dedham 02026, 617-326-9448.

[H1] Dedham School Committee v. Doe. Superior Ct. Norfolk Co. 1977. Withdrawn. Sp. Ed. Whether the school committee must pay for voluntary private placement made by parents. Paul Maggioni, 628 High St., Dedham 02026, 617-326-9448.

[H1] Digirolano v. Dept. of Ed. Superior Ct. Norfolk Co. Feb. 1977. Settled. Sp. Ed. Whether the town should provide private placement. Joseph Malloy, 1469 Washington St., Canton 02021, 617-828-3664.

[H1 P1] Doe v. Anrig. U.S. Dist. Ct. Nov. 1979. Decision Nov. 1980. 500 F. Supp. 802. Sp. Ed. Whether child should be placed in private day school at school board expense. Conflict between state and federal law as to exhaustion of remedies. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1 P1] Doe v. Anrig. U.S. Dist. Ct. Oct. 1980. Sp. Ed. Plaintiff requests private placement for child, including placement pending the court action. Whether the parents must pay for the transcript of the administrative hearing procedures. Esther Stevens, 101 Tremont St., Boston 02108, 617-523-6713.

[H1] Doe v. Anrig. U.S. Dist. Ct. 1979. Sp. Ed. Whether the school board should provide placement in a residential facility. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1] Doe v. Anrig. U.S. Dist. Ct. June 1980. Sp. Ed. Whether child should be placed in private day school at school board expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1] Doe v. Anrig. U.S. Dist. Ct. Sept. 1980. Sp. Ed. Suit contesting denial of private placement. Peter Finn; Guterman, Horvitz, Rubin, and Rudman, Three Center Plaza, Boston 02108, 617-227-8010.

[H1] Doe v. Dept. of Ed. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Whether child should be placed in private day school at school board expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H6] Doe v. Division of Sp. Ed. Superior Ct. Norfolk Co. Sept. 1979. Decision, Feb. 1981, D. Sp. Ed. Whether the services provided to a handicapped child in school are adequate. Lester Gold, 294 Washington St., Boston 02108, 617-426-3050.

[H6] Doe v. Fink. Superior Ct. Suffolk Co. Jan. 1980. Sp. Ed. Requesting additional services for the child; contesting sufficiency of evidence to support the hearing examiner's ruling. Herbert Kliger, P.O. Box 119, Chestnut Hill 02167, 617-739-2800.

[H1] Doe v. Hingham School Committee. U.S. Dist. Ct. 1981. Sp. Ed. Whether child should be placed in a private day school at school board expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1] Doe v. Huntlye. Superior Ct. Essex Co. May 1979. Sp. Ed. Suit requesting that the school place handicapped child in a private facility. Peter Gossels, 84 State St., Boston 02109, 617-742-9310.

[H6 P1] Doe v. Wells. Superior Ct. Suffolk Co. Jan. 1981. Sp. Ed. Requesting additional services for the child in school. Contesting administrative appeals procedures. Herbert Kliger, P.O. Box 119, Chestnut Hill 02167, 617-739-2800.

[H1 H5] Drinan v. Anrig. Superior Ct. Norfolk Co. May 1978. Sp. Ed. Suit for residential placement for two years beyond the age of 21, on the grounds that the school had refused to provide placement earlier when required to provide it. Donald Freedman, 141 Milk St., Suite 825, Boston 02109, 617-969-9410.

[H1] Early v. Dept. of Bd. Superior Ct. Worcester Co. Dec. 1979. The hearing examiner ruled that the school must provide private placement; then midway through the second year he ruled the school need not provide it. The school contested the examiner's ruling that the school must, nevertheless, continue to provide it for the remainder of that year. Deborah Shanley; Murphy, Lamere & Murphy, 250 Grant Street, South Shore Plaza, Braintree 02184, 617-848-1850.

[D4] Figuerado v. Owen. Dist. Ct. Bristol Co. Sept. 1978. Settled. Suit for damages (psychological damages) by student alleging that a teacher hit him with a stick. Richard Mullen, 657 Highland Ave., Fall River 02720, 617-674-4604.

[H1 H5 P1] Fisher v. Fink. Superior Ct. Middlesex Co. Dec. 1978. Decision Mar. 1981, D. Sp. Ed. Constitutional and statutory challenge to termination of special education upon receiving a high school diploma, asking for reimbursement for private schooling and other damages. Whether due process requires schools to give notice that a diploma bars further provision of special education by the schools. Requesting interim attorney fees. The court ruled that the plaintiff must exhaust administrative remedies. Arthur Goldsmith, 103 Union Wharf, Boston 02109, 617-367-6689.

[E4 H0] Fitchburg Spanish Council v. School Committee of Fitchburg. Superior Ct. Worcester Co. Aug. 1979. Sp. Ed. Suit to improve special education procedures for Spanish speaking children--seeking use of Spanish when school officials test children and consult with their parents. Charles B. Vander Linden, Central Mass. Legal Services, 435 Main St., Fitchburg 01420, 617-345-1946.

[H1] Town of Framingham v. Dept. of Ed. Superior Ct. Middlesex Co. June 1979. Sp. Ed. Whether the town's payment for private schooling of a handicapped child violates a state constitutional provision against government aid to private schools. William Mayer, 281 Pleasant St., Framingham 01701, 617-879-5000.

[H1] Freeman v. Dr. Franklin Perkins School. Probate Ct. Worcester Co. Apr. 1981. Removed to Superior Ct. Apr. 1981. Sp. Ed. Parents brought suit against private school to maintain the child in school. The school had threatened to dismiss the child for non-payment of tuition (by a school district in Illinois, where the parents live.) Donald Freedman, 141 Milk St., Suite 825, Boston 02109, 617-969-9410.

[H6] Gagnon v. Dept. of Ed. Superior Ct. Plymouth Co. Nov. 1980. The school contests a hearing examiner's decision that it should provide physical therapy for a child in school. Deborah Shanley; Murphy, Lamere & Murphy, 250 Grant Street, South Shore Plaza, Braintree 02184, 617-848-1850.

[D1] Gagnon v. Quabog Regional High School Dist. Committee. Superior Ct. Hampton Co. Oct. 1977. Decision Jan. 1978, D. ELB 599. Contesting suspension from school for student's failure to pay for damages to school property. Michelle DeBord, Quaboag Legal Assistance, 96 South St., Ware 01082, 413-967-6241.

[D1 D8] Gill v. Joyce. Superior Ct. Norfolk Co. 1980. Preliminary injunction denied by Superior, Appeals, and Supreme Judicial Cts. Suspension of student for 10 days for vandalism. Whether a principal can discipline for acts outside the school year. Whether due process was afforded in discipline procedures. Mark Cerel, P.O. Box 8, Islington Station, Westwood 02090, 617-329-3990.

[H1] *Goppe* v. *Anrig*. Superior Ct. Essex Co. Nov. 1978. Sp. Ed. Seeking residential placement. David Rifkin, 600 Federal St., Salem 01970, 617-745-9787.

[H1] *Granowitz* v. *Anrig*. Superior Ct. Suffolk Co. May 1977. Sp. Ed. Whether child should be placed in private school. Donald Freedman, 141 Milk St., Boston 02109, 617-969-9410.

[H1] *Granowitz* v. *Anrig*. Superior Ct. Suffolk Co. June 1979. Sp. Ed. Whether child should be placed in private day school at school board expense. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[P2] *Groves* v. *Deady*. U.S. Dist. Ct. 1980. Sp. Ed. Whether suspending a handicapped child from class constitutes a placement change and requires procedures necessary for a change in placement. Susan Thal, Western Massachusetts Legal Services, Inc., 145 State St., Springfield 01103, 413-781-7814.

[H2] *Hackett* v. *Anrig*. Superior Ct. Suffolk Co. Apr. 1981. Sp. Ed. Suit contesting the exclusion of a mentally retarded student from high school pending administrative hearing. William Crane, DD Law Center of Massachusetts, 294 Washington St., Boston 02108, 617-426-7020.

[H1] *City of Haverhill* v. *Dept. of Ed.* Superior Ct. Essex Co. Apr. 1978. Withdrawn. Sp. Ed. Whether the schools should provide residential placement. Ashod Amirian, 379 Main St., Haverhill 01812, 617-372-8531.

[E1 E4] *Hispanic Parents Adivsory Council* v. *Proulx*. U.S. Dist. Ct. 1980. TRO denied. Suit to prevent destruction of school serving Hispanic students, arguing issues of bilingual education and racial segregation. Alan J. Rom, Lawyers Committee for Civil Rights Under Law, 294 Washington St., Boston 02108, 617-482-1145.

[H1 P1] *Holder* v. *Anrig*. Superior Ct. Suffolk Co. Feb. 1981. Sp. Ed. Requesting 24 hour residential placement. Whether parents must be able to participate in school review of child's plan. Whether the hearing examiner can prepare a plan after a decision. B. Elizabeth Stoll, Greater Boston Legal Services, 466 Blue Hill Ave., Roxbury 02121, 617-442-0211.

[H1] *Igo* v. *Dept. of Ed.* Superior Ct. Norfolk Co. Oct. 1977. Withdrawn. Sp. Ed. Suit contesting hearing examiner's ruling that the school must pay the cost of private schooling. John P. Lee, 8 Hayward St., Attleboro 02703, 617-222-0467.

[H2] *Innocenti* v. *Beverly*. Superior Ct. Essex Co. Jan 1978. Settled. Sp. Ed. Parents contested education plan calling for private placement and sought placement in regular school with services. Ronald Kaczynski, 68 Bundrett Ave., Andover 01810, 617-727-3100.

[B1] *Jacobs* v. *Amherst-Pelham Regional School Dist.* Superior Ct. Hampshire Co. Mar. 1981. Whether child can attend school in the district where he, but not his parents, live without court ordered emancipation. John Drake; Drake and Whitney, 25 Main St., Northhampton 01060, 413-586-4540.

[H1] Kelley v. Dept. of Ed. Superior Ct. Suffolk Co. Aug. 1979. Settled 1980. Sp. Ed. Suit for cost of private schooling, including retroactive payment for cost of prior year schooling. Herbert D. Friedman, 160 Milk St., Boston 01209, 617-451-0191.

[R3] Kent v. Commissioner of Ed. Supreme Judicial Ct. Feb. 1980. Class action. Decision, Mar. 1980, P. 402 N.E. 2d 1340. Constitutionality of a statute allowing student teachers to offer prayer periods, allowing students not wishing to participate to be excused. Kenneth A. Sweder; Kaye, Fialkow, Richmond, and Rothstein, 60 State St., Boston 02109, 617-523-1900.

[H1] Lang v. Braintree School Committee. U.S. Dist. Ct. 1979. Sp. Ed. Whether the child is entitled to placement in private school, as opposed to public school placement. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H1] Larkin v. Dept. of Ed. Superior Ct. Middlesex Co. July 1980. Settled. Sp. Ed. Suit for retroactive costs of private placement and for future private placement. Donald Freedman, 141 Milk St., Suite 825, Boston 02109, 617-469-9410.

[E4] Latin Ass'n. for Progress and Action v. Connor. U.S. Dist. Ct. May 1978. Preliminary injunctions Apr. 1979 and Nov. 1980. 12 CHR 416, 14 CHR 1294. ELB 681, 773. Suit to improve the bilingual education program in Worcester and to ensure that all eligible students are allowed to participate in the program. Charles Vander Linden, Central Mass. Legal Services, 435 Main St., Fitchburg 01420, 617-345-1946.

[H1] LeDrew v. Anrig. Superior Ct. Suffolk Co. Feb. 1977. Decision, P. Sp. Ed. Suit for cost of private schooling. Beryl Cohen, 11 Beacon St., Boston 02108, 617-742-3322.

[H1] Levy v. Anrig. Superior Ct. Suffolk Co. Feb. 1977. Sp. Ed. Town appealed from a ruling by the Department of Education that child should be placed in a day school. Peter C. Gossels, 84 State St., Boston 02109, 617-742-9310.

[H1] Lloyd v. Dept. of Ed. Superior Ct. Norfolk Co. Mar. 1978. Sp. Ed. Whether the schools must finance private placement; claiming that such financing would violate an amendment to the state constitution that prohibits state aid to private schooling except for deaf, dumb or blind students. Albert S. Robinson, 47 Church St., Wellesley 02181, 617-253-1020.

[H1] Lloyd v. Dept. of Ed. Superior Ct. Norfolk Co. Oct. 1978. Sp. Ed. Whether the special education law violated a constitutional provision that public money cannot be used to aid private education. Albert S. Robinson, 47 Church St., Wellesley 02181, 617-253-1020.

[H1] Lynch v. Dept. of Ed. Superior Ct. Norfolk Co. 1977. Decision Sept. 1978, D. Sp. Ed. Contesting hearing examiner's decision that the school district must pay for private school placement. Whether school must pay retroactive tuition. John P. Lee, 8 Hayward St., Attleboro 02703, 617-222-0467.

[H1 P1] Lynn v. Bureau of Sp. Ed. Appeals. Superior Ct. Essex Co. Apr. 1981. Sp. Ed. Whether the hearing officer, rather than the school, can select a private facility for a child. Nicholas Curuby, City Hall, Lynn 01902, 617-598-4000.

[H9] Lynn v. Bureau of Sp. Ed. Appeals. Superior Ct. Essex Co. Oct. 1980. Sp. Ed. Whether the schools or the Department of Public Services must pay for education in a residential facility for a child who is a ward of the Department of Public Services. If the school pays, whether the Department of Public Services can select the residential facility. Nicholas Curuby, City Hall, Lynn 01902, 617-598-4000.

[H1] MacIsaac v. Dept. of Ed. Superior Ct. Worcester Co. Nov. 1977. Decision Nov. 1978, D. Sp. Ed. Requesting reimbursement for residential placement, claiming that special education teaching in public school was inadequate. Milton Raphaelson, 349 Main St., Worcester 01608, 617-791-8586.

[H9] McDonough v. Anrig. Superior Ct. Suffolk Co. Apr. 1980. Sp. Ed. Whether residential placement must be paid for by school, as opposed to other agencies. Michael Betcher, Office of the General Counsel, Boston School Committee, 26 Court St., Boston 02108, 617-357-6433.

[H1 H9] McLean General Hospital v. Garber. State Dist. Ct. Aug. 1978. Settled. Sp. Ed. Plaintiff brought suit to collect costs of private placement of handicapped child, and the parents brought a third-party claim against schools for reimbursement. One issue is which government entity must pay costs of private placement. Andrew Weiss, Two Park Square, Boston 02116, 617-426-2060.

[P2] McNeil v. Connorton. Superior Ct. Norfolk Co. Apr. 1979. Sp. Ed. Requesting injunction against the exclusion of a child from public school (child was suspended for disciplinary reasons) pending review of plan. Barbara Clurman, Massachusetts Advocacy Center, 2 Park Square, 7th Floor, Boston 02116, 617-357-8431.

[S2] McNulty v. Massachusetts Interscholastic Ath. Ass'n. Superior Ct. Suffolk Co. Sept. 1979. Decision 1979, D. Appellate Div. Decision 1979, D. Suit for waiver of the defendant's age limitation rule. James T. Duggan, 10 Post Office Square, Boston 02109, 617-482-8151.

[H0] Marion School Committee v. Dept. of Ed. Superior Ct. Plymouth Co. Sp. Ed. Issue unknown. William H. Carey; Desmarais & Carey, 446 County St., New Bedford 02740, 617-999-2341.

[H2] Martin v. Bd. of Ed. Superior Ct. Hampden Co. 1978. Settled. Sp. Ed. Suit to put child in regular education class instead of special class for handicapped children. Donald Graham, Pioneer Valley Legal Clinic, 588 Belmont St., Springfield 01108, 413-781-0402.

[H1] Melrose School Committee v. Massachusetts Dept. of Ed. U.S. Dist. Ct. July 1980. Sp. Ed. The school contests a ruling that it provide private placement for a child. Deborah Shanley; Murphy, Lamere & Murphy, 250 Grant Street, South Shore Plaza, Braintree 02184, 617-848-1850.

[D8] Moore v. Creedon. Superior Ct. Norfolk Co. May 1979. Due process in suspension during last month in school year (a special education claim is peripheral). Damages sought. Arthur Goldsmith, 103 Union Wharf, Boston 02109, 617-367-6689.

[H2] Moore v. Hanover School Committee. U.S. Dist. Ct. 1978. Sp. Ed. Damage action for child's loss of schooling because the school system placed the child in a mental institution. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[D1 E2] Morales v. Frizzle. Superior Ct. Hampshire Co. 1980. Settled. Suit to maintain child in school. The child was in the Amherst public schools under a program bringing New York inner-city students to schools outside the City. The child was removed from this program for smoking marijuana and he brought suit to remain in school without paying out-of-state tuition (which is waived for children in the program), alleging racial discrimination among other issues. Richard Evans, 26 So. Prospect St., Amherst 01002, 413-253-9887.

[H1] Murphy v. Anrig. U.S. Dist. Ct. May 1981. Sp. Ed. The school appeals from part of a Department of Education decision granting private placement. Attorney unknown.

[B3] Murphy v. School Committee of Brimfield. Superior Ct. Decision, P. Supreme Judicial Ct. Decision May 1979, D. 389 N.E. 2d 399. Whether school committee must provide transportation for children attending private school located outside the public school district. Albert B. Cook, address unknown.

[H9] Natick School Dist. v. Dept. of Ed. Superior Ct. Suffolk Co. 1980. Sp. Ed. Whether state agencies are responsible for sharing part of the cost of special education. Edward Leibensperger; Nutter, McClennen, and Fish, 600 Atlantic Ave., Boston 02210, 617-973-9700.

[H6] Natick School Dist. v. Dept. of Ed. Superior Ct. Suffolk Co. 1979. Sp. Ed. Whether the school must pay for psychotherapy. Edward Leibensperger; Nutter, McClennen and Fish, 600 Atlantic Ave., Boston 02210, 617-973-9700.

[H1] Needham School Committee v. Dept. of Ed. Superior Ct. Suffolk Co. Jan. 1978. Withdrawn. Sp. Ed. Whether the School Committee should provide residential placement. Peter Gossels, 84 State St., Boston 02109, 617-742-9310.

[H1] Newton School Committee v. Dept. of Ed. Superior Ct. Middlesex Co. July 1980. Sp. Ed. Whether the School Committee should pay for private placement. Wayne R. Frigard, City Hall, 1000 Commonwealth Ave., Newton Center 02159, 617-552-7050.

[H9] Northbridge v. Natick Schools. Superior Ct. Middlesex Co. 1980. Sp. Ed. Whether Town of Northbridge, the Town of Natick, or the state must pay cost of special education of child in a foster home in Northbridge, but whose parents live in Natick. Henry Lane, 174 Church St., Whitinsville 01588, 617-234-5350.

[H1 H9] Norwood School Committee v. Dept. of Ed. Superior Ct. Norfolk Co. Mar. 1981. Sp. Ed. Whether the school district should provide a child with residential placement (as opposed to day care). Whether the town should pay for the residential component of the placement. Justin C. Barton, 698 Washington St., Norwood 02061, 617-762-3234.

[E7] O'Brien v. Dukakis. Superior Ct. Worcester Co. May 1977. Class action. Dropped when plaintiff joined Webby v. King. Suit for equal financing of schools. Alfred Doyle; Doyle and Dyar, 25 Burncoat St., Worcester 01605, 617-853-1533.

[S2] Orlando v. Massachusetts Interscholastic Ath. Ass'n. Superior Ct. Essex Co. Dec. 1979. TRO, then decision Jan. 1980, D. Student contests ineligibility for sports under the four year rule. Samuel J. Concemi; Concemi & Wight, 316 Essex Street, Lawrence 01840, 617-685-2400.

[H1] Christopher P. v. Commonwealth. Superior Ct. Hampshire Co. 1978. Decision 1980, D. Sp. Ed. Who has burden of proof to prove adequacy of education plan; request for funding of private placement. William C. Newman; Lesser, Newman, Sibbison, and Souweine, 39 Main St., Northhampton 01060, 413-584-7331.

[F6] Perchemlides v. Frizzle. Superior Ct. Hampshire Co. June 1978. Partial summary judgment Nov. 1978, M. 12 CHR 189. 835. ELB 776. Parents seek a home education program and termination of criminal charges for violation of compulsory attendance laws. Whether the schools violated due process by giving insufficient consideration to plaintiff's request for home study. James Bisceglia, Western Massachusetts Legal Service, 76 Pleasant St., Northampton 01060, 413-584-4034.

[B1 H9] Town of Phillipston v. Dept. of Ed. Superior Ct. Worcester Co. Aug. 1977. Withdrawn. Sp. Ed. Whether a child in foster care in the plaintiff town must be provided special education by the town when the parents live elsewhere. J. Phillip Howard, 38 Parker St., Gardner 01440, 617-632-0970.

[H1] Diana R. v. Randolph School Committee. Superior Ct. Suffolk Co. May 1981. Parents appeal from part of a Department of Education Decision not granting private placement. (See Murphy v. Anrig). Herbert Friedman, 160 Milk St., Boston 02109, 617-451-0191.

[H6] Wayne R. v. Somerville School System. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Suit contesting the IEP for a handicapped child, requesting more services in school. Nancy Borofsky, Cambridge and Somerville Legal Services, Inc., 24 Thorndike St., Cambridge 02141, 617-492-5520.

[B3] Ragen v. Whitman-Hanson School Committee. Superior Ct. Plymouth Co. 1977. Decision 1978, P. Supreme Judicial Ct. 1978. Decision May 1979, D. 389 N.E. 2d 399. Whether the school committee must provide transportation for children attending private school located outside the public school district. Thomas Quinn, 59 Court St., Plymouth 02361, 617-746-1930.

[F2] Right to Read Defense Committee of Chelsea v. School Committee of City of Chelsea. U.S. Dist. Ct. Aug. 1977. Class Action. Decision July 1978, P. 454 F. Supp. 703. Suit contesting removal of a book from high school library by the defendant. Jonathan Shapiro, 2 Park Square, Boston 02116, 617-542-0663.

[H1 P1] Roe v. Anrig. U.S. Dist. Ct. Aug. 1980. EHLR 552:311. Sp. Ed. Whether child should be placed in a private day school at the expense of the school board. Whether the state must provide transcripts of hearing procedures expeditiously. Ann Vohl, One Garfield Circle, Burlington 01803, 617-273-4242.

[H4 H5] Roebuck v. Dept. of Ed. Superior Ct. Suffolk Co. Aug. 1979. Sp. Ed. Appeal from a hearing examiner's decision that the school cannot graduate a student, and must continue to provide services, because the school did not bring in the local social service agencies when preparing the students last IEP. Deborah Shanley; Murphy, Lamere & Murphy, 250 Grant Street, South Shore Plaza, Braintree 02184, 617-848-1850.

[H1 H5 P1] Rosen v. Anrig. Superior Ct. Norfolk Co. June 1978. Withdrawn. Sp. Ed. Contesting Department of Education decision that the schools should provide education in a private school after age 21 even though the school offered to grant the student a diploma. Whether a hearing examiner can order specific private school placement. Procedural irregularities. Cathleen Cavell, Associate Town Counsel, 333 Washington St., Brookline 02146, 617-232-9000.

[H1] Scanlon v. Dept. of Ed. Superior Ct. Middlesex Co. 1977. Decision 1979, D. Sp. Ed. Whether school should provide private schooling, instead of tutoring in public school. John Cogavin, 3 Center Plaza, Boston 02108, 617-742-3340.

[H1] School Committee of Sherborn v. Bureau of Sp. Ed. Appeals. Superior Ct. Suffolk Co. Apr. 1977. Decision, D. Filed in the Appeals Ct., then withdrawn. Sp. Ed. Appeal from hearing examiner's award of retroactive costs of private placement, when parents made the private placement before the due process hearing. Jeffrey F. Jones; Palmer and Dodge, One Beacon St., Boston 02108, 617-227-4400.

[E2 E4] Sierra v. Ross. Superior Ct. Worcester Co. 1978. Consent decree 1979. ELB 657, 1054. Suit to provide a bilingual education program for Hispanics in a vocational school. Plaintiff also alleged discrimination against Hispanics in admission to the school, including use of discriminatory tests. Charles E. Vander Linden, Central Mass. Legal Services, 435 Main St., Fitchburg 01420, 617-345-1946.

[H1 P1] Simas v. Dept. of Ed. Superior Ct. Suffolk Co. 1980. Decision, Jan. 1981, P. Sp. Ed. Suit for cost of private schooling. Whether hearing decision should be reversed because tapes of the hearing are not audible. Herbert D. Friedman, 160 Milk St., Boston 01209, 617-451-0191.

[E2 H3] Sixth Dist. Committee v. Amrig. Superior Ct. Hampden Co. 1978. Sp. Ed. Contesting disproportionate placement of minority children in special education classes. Susan Thal, Western Mass. Legal Services, 145 State St., Springfield 01103, 413-781-7814.

[H1] Smith v. Anrig. Superior Ct. Berkshire Co. Aug. 1980. Withdrawn. Sp. Ed. The town was appealing a decision by the Department of Education that a child should be given residential placement. P. Keyburn Hollister, City Hall, Pittsfield 01201, 617-523-8010.

[B1 E4] South Middlesex Regional Vocational Technical School Dist. v. Milford. Superior Ct. Middlesex Co. Oct. 1979. 13 CHR 786. Ten students were denied access to a bilingual education program because the plaintiff school district contended that the defendant district must pay tuitions because the students lived there. The students intervene to be able to stay in the program pending litigation, and a preliminary injunction was granted them. Laurence Faiman; Faiman & Deangelis, 300 W. Worcester Road, Framingham 01701, 617-879-6600.

[H0] Spets v. Anrig. Superior Ct. Suffolk Co. May 1977. Sp. Ed. Issue unknown. Lisa Fitzgerald, address unknown.

[H9] Steffen v. Anrig. U.S. Dist. Ct. Dec. 1980. Agreement in lieu of a TRO, Dec. 1980. Sp. Ed. Which of two school districts should reimburse the costs of special education. Charles E. Vander Linden, Central Mass. Legal Services, 435 Main St., Fitchburg 01420, 617-345-1946.

[H1 P1] Stern v. Anrig. Superior Ct. Norfolk Co. May 1979. Sp. Ed. Whether school department should provide placement in a private school. Whether the state constitutional provision against aid to private schools prohibits such placement. Whether the hearing examiner can order placement in a specific school. Whether the hearing examiner had sufficient qualifications. Whether the Commissioner of Education can review decisions of the hearing examiner. Cathleen Cavell, Associate Town Counsel, 333 Washington St., Brookline 02146, 617-232-9000.

[H9] Stern v. Okin. Superior Ct. Norfolk Co. Jan. 1981. Sp. Ed. Whether the schools or the Department of Mental Health must pay for the residential component of costs for children with severe mental disabilities (when school pays the education component). Cathleen Cavell, Associate Town Counsel, 333 Washington St., Brookline 02146, 617-232-9000.

[H6] Jose T. v. Okin. U.S. Dist. Ct. Aug. 1979. Class action. 13 CHR 537. Sp. Ed. Suit for provision of educational and mental health services for emotionally disturbed children in Massachusetts. Damages sought. Paula Mackin, Greater Boston Legal Services, 85 Devonshire St., Boston 02109, 617-367-2880.

[H1] Town of Tewksbury v. Dept. of Ed. Superior Ct. Middlesex Co. June 1978. Settled. Sp. Ed. Whether the child should be placed in a private school. Charles Zaroulis, 9 Middlesex St., Lowell 01852, 617-458-4583.

[S3] Tierney v. Kelleher. Superior Ct. Norfolk Co. Decision 1980, D. Appeals Ct. decision, D. Injunction denied by Superior and Appeals Courts. Suit by school department against the Massachusetts Interscholastic Athletic Association to allow the Canton team to participate in a championship game (because of computation of scores). Joseph Malloy, Town Counsel, Memorial Hall, Canton 02021, 617-828-3664.

[H1] Tobin v. Dept. of Ed. Superior Ct. Suffolk Co. Aug. 1978. Moot. Sp. Ed. School contests hearing examiner's decision that it should provide residential placement for a student. James A. Toomey; Murphy, Lamere & Murphy, 250 Grant St., South Shore Plaza, Braintree 02184, 617-848-1850.

[H6] School Committee of Truro v. Dept. of Ed. Superior Ct. Barnstable Co. Jan. 1980. Decision June 1980, D. EHLR 552:186. Sp. Ed. The IEP called for counseling, and parents wanted to choose counselor--wanted a private psychologist instead of school counselor, at school expense. Edward Veara, P.O. Drawer X, Route 134, South Dennis 02660, 617-398-8684.

[H1 P1] Eric W. v. Anrig. U.S. Dist. Ct. 1980. Sp. Ed. Whether residential placement is appropriate for an emotionally handicapped child. Whether parent must go through neglect proceedings to obtain residential placement. Whether the plaintiff must exhaust administrative remedies. Anthony DeMarco, North Shore Children's Law Project, P.O. Box 710, Lynn 01903, 617-581-1977.

[H1] Walsh v. King. U.S. Dist. Ct. Jan 1981. Class Action. Sp. Ed. Suit to obtain the increased cost of tuition for autistic children charged by an out-of-state residential facility, claiming that the facility is the only appropriate one available for the students. Robert W. Langlois, Flemming and Langlois, 1159 Hancock St., Quincy, 617-472-5100.

[E7] Webby v. King. Supreme Judicial Ct. May 1978. Class Action. Suit to equalize school financing among schools in the state, based on federal and state equal protection guarantees. Harold Flannery; Foley, Hoag, and Eliot, 10 Post Office Square, Boston 02109, 617-482-1390.

[H1] Wellesley School Committee v. Dept. of Ed. Superior Ct. Norfolk Co. Oct. 1979. Sp. Ed. Whether the school system's financing of private schooling for handicapped children violates an amendment to the state constitution that prohibits state aid to private schools, except for deaf, dumb, or blind students. Albert S. Robinson, 47 Church St., Wellesley 02181, 617-253-1020.

[H9] Westfield School Committee v. Dept. of Ed. Superior Ct. Hampden Co. Nov. 1978. Sp. Ed. Whether residential placement is for educational purposes such that school system must pay. William Coulter, 68 Court St., Westfield 01085, 413-568-5105.

[H1] Westmoreland v. Hill. Superior Ct. Suffolk Co. Jan. 1978. Settled. ELB 729. Sp. Ed. Suit to continue child's placement in a private school. Kenneth Margolin, 27 School St., Boston 02110, 607-523-5271.

[H1] Town of Weston v. Bureau of Sp. Ed. Appeals. Superior Ct. Middlesex Co. Apr. 1977. Settled. Sp. Ed. Suit for private placement. Florence Freeman, 483 Boston Post Road, Weston 02193, 617-893-1510.

[H1 H6] Wojciak v. City of Chicopee. Superior Ct. 1977. Class action. Settled. Sp. Ed. Suit charging general noncompliance with the state special education law. Donald Graham, Pioneer Valley Legal Clinic, 588 Belmont St., Springfield 01108, 413-781-0402.

[H1] Woodman v. Anrig. U.S. Dist. Ct. Apr. 1981. Sp. Ed. Reimbursement for private placement. Donald Freedman, 141 Milk St., Suite 825, Boston 02109, 617-964-9410.

[H1] Wysocki v. Dept. of Ed. Superior Ct. Essex Co. Oct. 1977. Decision, D. Sp. Ed. Whether school should pay for residential placement. Webb F. Primason, 23 Central Ave., Lynn 01901, 617-595-3189.

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[B1] Allen v. Oak Park Schools and Southfield Schools. Cir. Ct. Oakland Co. Sept. 1979. Settled Oct. 1979. Whether students were enrolled in proper school district, and if not, what changes, if any, should be made. David H. Fink; Cooper and Fink, 30200 Telegraph Rd., Birmingham 48010, 313-646-3200.

[R2] Americans United for Separation of Church and State v. School Dist. of City of Grand Rapids. U.S. Dist. Ct. S.D. Aug. 1980. Constitutionality of shared time with religious school; First Amendment. Albert R. Dilley; Dilley and Dilley, 5450 Old Kent Bldg., Grand Rapids 49503, 616-459-8581.

[01] Dawn Marie B. v. Bloomfield Hills Andover High School Dist. Cir. Ct. Oakland Co. Nov. 1980. A former high school student brings a damage action for failure of the school staff to report abuse (by her stepfather) to the Department of Social Services as required by state statute. Steven J. Matz; Matz & Rubin, P.C., 30600 Telegraph Road, Suite 2363, Birmingham 48010, 313-642-5757.

[H6 P1] Bady v. Southfield Public Schools. Cir. Ct. Oakland Co. Aug. 1978. Preliminary injunction, P. Sept. 1978. Sp. Ed. Whether school, without a hearing, could transfer two wheel chair children to a barrier free building, farther from home, or whether the school should provide accessibility in its own building. Bernard Feldman; Ramsdell, Oadie, and Feldman, 25130 Southfield Rd., Southfield 48075, 313-552-9400.

[H6] Bernard v. State Bd. of Ed. Cir. Ct. Wayne Co. Sp. Ed. Action to obtain special education for developmentally disabled child. Donald R. McIntyre, 3535 David Stott Bldg., Detroit 48226, 313-961-7565.

[H6] Birmingham School Dist. v. Szulborski. Cir. Ct. Oakland Co. Oct. 1979. Decision Nov. 1980, D. Sp. Ed. Appeal from administrative decision. Whether school should provide summer program for 13 year old autistic child. Douglas Firth; Clark, Hardy, Lewis, Fine, and Pollard, 555 South Woodward, Birmingham 48011, 313-645-0800.

[H1 P1] Blakely v. Michigan Bd. of Ed. U.S. Dist. Ct. E.D. Nov. 1979. Decision Jan. 1981, D. Sp. Ed. Appropriate residential placement of handicapped child. Question of exhaustion of administrative remedies. Ronna Stevens, Michigan P. and A. Service for DD, 1200 6th St. M 106, Detroit 48226, 313-961-1650.

[D5] Britenbach v. Roseville School Dist. U.S. Dist. Ct. E.D. Dec. 1980. Settled. Challenge to school rule requiring students to sign a waiver of their Fourth Amendment rights against search of their lockers. Similarly with respect to their cars in order to obtain parking permits for the school parking lot. Elizabeth Gleicher; Goodman, Eden, Millender, and Bedrosian, 3200 Cadillac Tower, Detroit 48226, 313-965-0050.

[S1] Burton v. Easton. Cir. Ct. Kent Co. 1979. Decision 1979, D. Student contested ineligibility after transferring from a public to a catholic school. John D. Tully, 900 Old Kent Building, Grand Rapids 49503, 616-459-6121.

[S3] Carter v. Concord Community Schools. Cir. Ct. Aug. 1980. Decision 1980, D. Challenge to the system used by the school to choose cheerleaders. Charge that an arbitrary and capricious process was used in the selection. Bruce A. Barton; Barton, Benedetto & Bishop, 414 S. Jackson Street, Jackson 49201, 517-787-6532.

[B1] Chelsea School Dist. v. State Bd. of Ed. Cir. Ct. Mar. 1981. Whether children placed by their parents in private, residential parochial school are "residents" so that they can attend the public school in the district where their parochial school is located. Also whether the state Board of Education followed the statutory procedure in determining residency or denied due process. Thomas H. Schwarze; Keller, Thoma, Schwarze, and Schwarze, 1600 City National Bank Bldg., Detroit 48226, 313-965-7610.

[H4] Clemente v. Porter. U.S. Dist. Ct. E.D. 1979. Dismissed. Sp. Ed. Whether a child was learning disabled, and whether there is a conflict between the definitions of learning disability under federal and state law. Joel Welber; Goldstein, Welber, Florey, and Ferris, 287 E. Liberty Plaza, Ann Arbor 48104, 313-761-1566.

[H6] Coe v. School Dist. of City of Flint. Cir. Ct. Genesee Co. Dec. 1979. Sp. Ed. Adequacy of program and teacher/pupil ratio in special education class--autistic child. Marshall MacFarlane; Keil, Henneke, Ruhala, McKone, and MacFarlane, G-4413 Corunna Rd., Flint 48504, 313-733-2050.

[H6] Coe v. Michigan State Bd. of Ed. U.S. Dist. Ct. E.D. Jan. 1981. Sp. Ed. Action for damages and to require separate specific program for autistic child. Marshall MacFarlane; Kiel, Henneke, Ruhala, McKone and MacFarlane, G-4413 Corunna Rd., Flint 48504, 313-733-2050.

[D1 D8] Cords v. Buchanan Public Schools. U.S. Dist. Ct. W.D. 1978. Decision 1978, D. Challenge to summary expulsion for smoking marijuana at school, on the grounds that there was lack of due process at the hearing after the expulsion, that the offense was not specifically covered by the rules and that the loss of a whole year's credits was unduly severe. Michael D. Marrs; Desenberg, Desenberg, and Marrs, P.O. Box 72, Buchanan 49107, 616-695-1500.

[D1] Cross v. Grand Blanc Community Schools. Cir. Ct. Genesee Co. May 1980. Decision May 1980, P. Ct. of Appeals 1980. Settlement approved by court. Suit, three weeks before graduation, to reverse order of the School Board expelling student and to permit him (on suspension) to take final exams and graduate. Charles W. White, 512 W. Court St., Flint 48502, 313-232-0114.

[H6] Dady v. School Bd. for City of Rochester. Cir. Ct. Oakland Co. 1978. Decision 1978, D. Ct. of Appeals 1978. Decision May 1979, D. 282 N.W.2d 328. Sp. Ed. Whether catheterization for a handicapped child is covered by the Michigan Handicappers' Civil Rights Act. James F. Hewson, 38130 Jamestown Dr., Sterling Heights 48077, 313-977-8716.

[S2] Davis v. Michigan High School Ath. Ass'n. Cir. Ct. Wayne Co. Jan. 1980. Decision 1980, D. Challenge to eight semester rule for eligibility (student had moved from another state but had not played the full 8 semesters). William Staugaard; Kistner, Schienke, Staugaard & Dettloff, 27007 Hoover Road, Warren 48093, 313-756-0900.

[H6 H0] Doe v. Oak Park Schools. U.S. Dist. Ct. E.D. Mar. 1980. Class action. Consent agreement. Nov. 1980. Sp. Ed. Charges of sexual abuse of handicapped children, inadequate training of teachers, and inadequate teaching. Jon R. Garrett: Shaheen, Kranson, and Garrett, 820 Buhl Bldg., Detroit 48226, 313-963-1300.

[S2 S4] Donahue v. Michigan High School Ath. Ass'n. Cir. Ct. Macomb Co. 1980. Decision 1980, D. Student contests ineligibility from sports for exceeding the maximum allowed participation; also contested administrative appeals procedure in the Michigan High School Athletic Association. Timothy Barkovic, 30500 Van Dyke Street, Suite 301, Warren 48093, 313-574-9230.

[D8] Finnerty v. Ann Arbor Public Schools. Cir. Ct. Washtenaw Co. 1979. Moot. Whether there was due process on an expulsion hearing. James R. Cmejrek; Crippen, Urquhart, Cmejrek, and Weber, 425 City Center Bldg., Ann Arbor 48104, 313-769-5700.

[D8] Flint Bd. of Ed. v. Williams. Probate Ct. Genesee Co. Jan. 1978. Decision Apr. 1978, P. Cir. Ct. Genesee Co. 1978. Decision, P. Ct. of Appeals 1978. Decision Jan. 1979, D. 276 N.W.2d 499. Suit by school board to declare a student incorrigible and that there was no place for him in the school system. Question: Whether school board had complied with procedures and exhausted administrative remedies. John P. Siler; Bellairs, Dean, Cooley, and Siler, 510 Genesee Bank Bldg., Flint 48502, 313-767-1520.

[H6 H4] Friedman v. Carmen-Ainsworth School Dist. U.S. Dist. Ct. E.D. Nov. 1978. Order maintaining status quo Nov. 1980. Sp. Ed. Appeal from change of classification from EMI to TMI and charging failure to provide proper education. C. Robert Beltz; Beltz, Behm, and Nickola, 600 Genesee Bank Bldg., Flint 48502, 313-767-5420.

[O1] Gordon v. Warren Consolid. Bd. of Ed. U.S. Dist. Ct. E.D. 1979. Decision Feb. 1981, D. Challenge to school's placement of undercover agents in classrooms as "transfer students" and question as to the real purpose of such placement. Richard A. Soble; Goodman, Eden, Millender, and Bedrosian, 3200 Cadillac Tower, Detroit 48226, 313-965-0050.

[P2] Green v. Westwood Community School Dist. U.S. Dist. Ct. E.D. Jan. 1980. Preliminary injunction, Apr. 1980. Sp. Ed. Due process on an indefinite expulsion. Failure by school to identify student as handicapped. Linda Krupp, Wayne County Neighborhood Legal Services, 10758 W. Jefferson, River Rouge 48219, 313-849-1550.

[E6] Guilford v. Throop. Cir. Ct. Ingham Co. Dec. 1979. Challenge under Michigan Civil Rights Act and Fourteenth Amendment to athletic association rule forbidding mixed genders on varsity athletic teams. Prof. Dorean M. Koenig, Cooley Law School, 217 So. Capitol Ave., Lansing 48901, 517-371-5140.

[F6] Hanson v. Cushman. U.S. Dist. Ct. W.D. Oct. 1979. Decision Mar. 1980, D. 490 F. Supp. 109. Whether parents, who are qualified to teach their children, but do not have teacher's certificates, could keep their nine children out of public schools and teach them at home. Kenneth A. Birch; Birch and Dean, 301 M.A.C. Ave., East Lansing 48823, 517-351-1100.

[D5 O1] Henderson v. Van Buren Public Schools. Cir. Ct. Wayne Co. Mar. 1977. Removed to U.S. Dist. Ct. 1977. Decision Nov. 1978, P. CCA 6 1979. Affirmed Jan. 1981. ELB 989. Whether school harrassed student and slandered student at a press conference, and whether newspapers libeled student. Also violation of due process, and unreasonable search and seizure. Gabe Kaimowitz, Puerto Rican Legal Defense and Educational Fund, Inc., 95 Madison Ave., New York, NY 10157, 212-532-8470.

[H1] Huber v. Midland School Dist. Cir. Ct. Midland Co. 1978. Preliminary injunction denied, 1978. Sp. Ed. Whether an aphasic child should be transferred to a residential program in another school district which could provide a specialized program for aphasics. Patricia Barone, Legal Services of Eastern Michigan, 352 Saginaw St., Flint 48502, 313-234-2621.

[E6] Humphrey v. St. Louis Bd. of Ed. Cir. Ct. Midland Co. 1979. Decision 1979, P. A girl sued to play football on a boys' team. Lance H. Fertig, 803 Capitol Street, Lansing 48933, 517-485-4711.

[D7] Ingel v. City of Detroit School Bd. Cir. Ct. Wayne Co. 1980. Damage and injunction suit against the school and principal for locking child out of building as disciplinary measure, during which she was assaulted by boys. William Stackpoole, 1916 City National Bank Bldg., Detroit 48226, 313-965-8650.

[E4] Martin Luther King Jr. School Children v. Michigan Bd. of Ed. U.S. Dist. Ct. E.D. 1977. Class action. Decisions May 1978 and Dec. 1978 and July 1979, P. 451 F. Supp. 1324; 463 F. Supp. 1027; 473 F. Supp. 1371. Whether failure of school to take into account the use of "Black English," by students, presents a language barrier that denies equal educational opportunity to such students. Gabe Kaimowitz, Puerto Rican Legal Defense and Educational Fund, Inc., 95 Madison Ave., New York, NY 10157, 212-532-8470.

[S2] Kinjorski v. Farmington Public School Dist. Cir. Ct. Oakland Co. 1980. Decision Aug. 1980, D. Ct. of Appeals Aug. 1980. Decision Sept. 1981, D. Student contests age rule for sports eligibility. William Stackpoole, 1916 City National Bank Bldg., Detroit 48226, 313-965-8650.

[E2] McFadden v. Grand Blanc Community Schools. Cir. Ct. Genesee Co. Nov. 1978. Damage action against a teacher and school district for a book which perpetuates negative images of blacks; plaintiffs rely on intentional tort theory, negligence theory and/or violation of state civil rights statute. Tracy Collier-Nix; Waterman, Stanley, and Collier-Nix, 2523 Clio Rd., Flint 48505, 313-232-1061.

[H2] Michigan Ass'n. of Retarded Citizens v. Smith. U.S. Dist. Ct. Mar. 1978. Class action. Decision Feb. 1981, P. Sp. Ed. Whether handicapped children should be maintained in a large institution or distributed into their respective communities. William J. Campbell, Michigan P and A Service for DD, 230 N. Washington Square, Lansing 48933, 517-487-1755.

[H4] Michigan Ass'n. of Retarded Citizens v. Traverse Bay Area Intermed. School Dist. Cir. Ct. July 1977. Class action. Settled, 1979. Sp. Ed. Challenge to school district plan under which handicapped children were classified only by age, without IEPs. William J. Campbell, Michigan P and A Service for DD, 230 N. Washington Square, Lansing 48933, 517-487-1755.

[H6 H7] Michigan Society for Autistic Children v. Porter. U.S. Dist. Ct. E.D. Nov. 1978. Being settled. Sp. Ed. Whether state rules should provide that schools give handicapped children 230 school days per year. Seeking prohibition on use of certain control techniques. Charge that programs for handicapped children do not include things offered to other students. George G. Newman, 530 Buhl Bldg., Detroit 48226, 313-963-2614.

[B1] Moore v. Oak Park Schools and Southfield Schools. Cir. Ct. Oakland Co. Sept. 1979. Whether students were enrolled in proper school district and if not, what charges, if any, should be made. David H. Fink; Cooper and Fink, 30200 Telegraph Rd., Birmingham 48010, 313-646-3200.

[D2 D9] Moore v. Portage Public Schools. Cir. Ct. Kalamazoo Co. June 1979. TRO June 1979. Challenge to school's "no-excuse" policy of denying credit for any class in which student misses more than a certain number of days in attendance, regardless of grades. Also lack of due process on school board hearing. Alfred J. Gemrich; Gemrich, Moser, Dombrowski, Bowser, and Fette, 222 S. Westnedge Ave., Kalamazoo 490067, 616-382-1030.

[H2] Nowicki v. Bloomfield Hills School Dist. Cir. Ct. Oakland Co. Sept. 1980. Decision Oct. 1980, P. Sp. Ed. Action to obtain temporary, less restricted placement of handicapped child during administrative procedures. Joel M. Shere; Shere and Klein, 3000 Town Center, Southfield 48075, 313-353-04532.

[E6] Othen v. Ann Arbor Bd. of Ed. U.S. Dist. Ct. E.D. 1979. Decision Feb. 1980, D. CCA 6 Mar. 1981. Girl sues to join golf team, claiming violation of Title IX; the school contends that Title IX does not apply to programs that receive no federal funds. Jean L. King, 277 East Liberty Bldg., Ann Arbor 48104, 313-662-1334.

[P2] Pingitore v. Roseville Public School. U.S. Dist. Ct. July 1980. Sp. Ed. Action for actual and punitive damages for allegedly unlawful transfer, suspension and expulsion of handicapped student. Also for denial of educational opportunity and denial of due process hearing. Jon R. Garrett; Shaheen, Kranson, and Garrett, 820 Buhl Bldg., Detroit 48226, 313-963-1300.

[H3] Postema v. State Bd. of Ed. Cir. Ct. Ingham Co. 1978. Sp. Ed. Mandamus action to obtain appropriate placement and training for autistic child. Michael A. Magnotta. Address unknown.

[B3] Reizen v. Southfield Public Schools. Cir. Ct. Oakland Co. Sept. 1980. Challenge to increasing minimum busing distance from one-half mile to one mile. Defense attorney is John A. Carlson; Shifman and Goodman, 3000 Town Center, Southfield 48075, 313-358-0620.

[H3] Routin v. Wayne Co. Intermediate School Dist. and Detroit Bd. of Ed. Cir. Ct. Wayne Co. Dec. 1978. Class action. Settled 1979. Sp. Ed. Challenge to transfer of handicapped students to another school where students were put in different achievement levels without individual evaluation. Joseph A. Golden, 24800 Northwestern Highway, Southfield 48075, 313-352-1552.

[H3] Schneider v. Bay-Arenac Intermediate School Dist. Cir. Ct. Bay Co. Sept. 1978. Decision Sept. 1978, D. Sp. Ed. Whether change of placement of handicapped children was proper. John A. Carlson; Shifman and Goodman, 3000 Town Center, Southfield 48075, 313-358-0620.

[D3] Scott v. Mason Public Schools. Cir. Ct. Ingham Co. 1978. Decision Oct. 1978, D. Whether the coaches decision to kick student off the football team because he had two beers on a Friday night was unreasonable. James P. Colbert, 527 N. Pine Street, Rochester 48063, 313-652-3608.

[R4] Sheridan Road Baptist Church v. State of Michigan. Cir. Ct. Ingham Co. Dec. 1980. Temporary injunction. Whether the state statute--which requires church schools to report enrollment, employ certificated teachers, teach minimum required courses and permit inspection of the school's records--is constitutional. William B. Ball; Ball & Skelly, 511 N. Second Street, Harrisburg, PA 17108, 717-232-8731.

[D3] Sprague v. Harrison Community Schools. Cir. Ct. Clare Co. May 1980. Class action. Decision Sept. 1980, P. ELB 1054. Challenge to school policy of denying credit for any class in which the student misses more than eight days in attendance, regardless of course grades. Susan Gyss, Legal Services of Eastern Michigan, 1825 Bay City Rd., Midland 48640, 517-832-7987.

[D1] Taylor v. DeWitt Public Schools. Cir. Ct. Clinton Co. 1979. TRO. Preliminary injunction denied. Appeal from school board decision suspending student for possession of marijuana. Glen B. Gronseth; Hubbard, Fox, Thomas, White, and Bengtson, P.C., 1108 Michigan National Tower, Lansing 48933, 517-485-7176.

[B4] Thomas v. Detroit Bd. of Ed. Cir. Ct. Wayne Co. Oct. 1980. Class action. Settled Nov. 1980. Challenging school policy of requiring a $10 book deposit, with no waiver for indigents, and of harassing students who could not make the deposit. Jennifer S. Bidwell, Michigan Legal Services, 220 Bagley, Detroit 48226, 313-964-4130.

[D3] Turpin v. Michigan Center Schools. Cir. Ct. Jackson Co. 1977. Decision 1977, D. Student was suspended from sports for possession of marijuana. None was found on her person. Violation of constitutional rights was charged. Dennis J. Conant; Christian & Conant, 2654 Spring Arbor Road, Jackson 49203, 517-787-3560.

[E1] United States v. Flint Community Schools. U.S. Dist. Ct. Apr. 1980. Consent decree Apr. 1980. Desegregation of the schools of Flint, through expansion of magnet school program. Michael H. Sussman, General Attorney, Civil Rights Div., Room 7537, Dept. of Justice, Washington, DC 20530, 202-633-4755.

[F3] Villareal v. Geiger. U.S. Dist. Ct. E.D. 1979. Settled 1980. To what extent can the school impose uniformity on the students through a dress code. Also due process on suspension hearing. James L. Florey; Goldstein, Welber, Florey, and Ferris 287 E. Liberty Plaza, Ann Arbor 48104, 313-761-1566.

[D7 B5] Westside Mothers v. Jefferson. U.S. Dist. Ct. E.D. Apr. 1977. Class action. Settled. Sept. 1977. ELB 516. Challenge to school policy of putting whole classroom on "dry lunch" as a disciplinary measure. Kenneth L. Lewis, 1010 City County Bldg., Detroit 48226, 313-224-6460.

[D8] Wilkerson v. Birch Run School Dist. Cir. Ct. Saginaw Co. Apr. 1980. Decision 1980, D. Appeal from school board expulsion decision on grounds that school board hires the hearing officer, conducts the prosecution and determines the verdict without informing the student or his attorney as to what facts the prosecution is based on or where the information came from. John A. Picard, 820 N. Michigan, Saginaw 48602, 517-753-4441.

[O1] Williams v. Wayne Co. Intermediate School Dist. Bd. of Ed. Cir. Ct. Wayne Co. Jan. 1977. TRO Feb. 1977. Settled Feb. 1977. Contesting transfer to facility which did not comply with fire code. Joseph A. Golden, 24800 Northwestern Highway, Southfield 48075, 313-352-1552.

[B1] Winfrey v. Oak Park Schools and Southfield Schools. Cir. Ct. Oakland Co. Sept. 1979. Consent judgment Nov. 1980, P. Whether students were enrolled in proper school district and if not, what changes, if any, should be made. Charles H. Brown, 1311 E. Jefferson, Detroit 48027, 313-393-0400.

[D5] Wofford v. Wayne-Westland School Dist. U.S. Dist. Ct. E.D. Nov. 1980. Challenge to school rule requiring students to sign a waiver of their Fourth Amendment rights in regard to search of their cars in order to obtain parking permits for the school parking lot. Elizabeth Gleicher; Goodman, Eden, Millender, and Bedrosian, 32nd Floor Cadillac Tower, Detroit 48226, 313-965-0050.

MINNESOTA

[F4] Cameron v. Ind. School Dist. No. 276. Dist. Ct. Hennepin Co. 1977. Decision June 78, D. Privacy of school student records. Leonard J. Hanson, 4613 Fair Hills, W., Minnetonka 55343, 612-938-2497.

[D8] In re David Cloud. Dist. Ct. Hennepin Co., Juvenile Div. 1977. Class action. Decision 1977, P. ELB 584. Sp. Ed. Due process on expulsion, and damage action. William F. Messinger, 41[illegible] S. 4th St., Minneapolis 55415, 612-338-1931.

[H6] Dynduk v. Rosemont School Dist. Dist. Ct. Anoka Co. 1978. Sp. Ed. Damages for failure to provide proper education. George T. Morrow II; Lauhead and Morrow, 100 N. 6th St., Minneapolis 55403, 612-339-5375.

[B1] Grasswick v. Ind. School Dist. No. 543. Dist. Ct. Ottertail Co. Jan. 1979. Minn. Supreme Ct. 1980. Decision Aug. 1980, P. Which school student could attend (state law giving choice was repealed, but while this case was in Supreme Ct., the legislature passed new law which solved the problem). Oscar Sorlie; Rufer, Hefte, Pemberton, Schulzge, Sorlie and Sefkow; Law Office Bldg.; Fergus Falls 56537; 218-736-5493.

[H6 P2] Groshong v. Ind. School Dist. No. 831. U.S. Dist. Ct. 1977. Decision Nov. 1980, D. Sp. Ed. Contesting expulsion procedures, and claiming damages for inappropriate education. The court ruled that the plaintiff must exhaust administrative remedies for an action based on 94-142. George T. Morrow II; Lauhead and Morrow, Butler Square Bldg., 100 N. 6th St., Minneapolis 55403, 612-339-5375.

[D2] Hunt v. Ind. School Dist. No. 831. U.S. Dist. Ct. 1977. Class action. Settled. Challenge to Forest Lake School policy of removal from class after 10 absences, regardless of excuse. Keith E. Goodwin; (MCLU Volunteer) Oppenheimer, Wolff, Foster, Shepard and Donnelly, 1700 1st National Bank Bldg., St. Paul 55101, 612-227-7271.

[H1] Ind. School Dist. No. 277 v. Commissioner of Ed. U.S. Dist. Ct. Nov. 1980. Sp. Ed. Whether the state can require the school district to check as to the adequacy of private school. William F. Kelly, 351 2nd St., Excelsior 55331, 612-474-5977.

[H6 P1] Ind. School Dist. No. 277 v. Pautz. Dist. Ct. Hennepin Co. 1979. Decision P. Supreme Ct. decision, Aug. 1980, D. 295 N.W. 2d 635. Sp. Ed. Adequacy of Individual Education Program for mildly handicapped child. Role of court in reviewing administrative hearings. William F. Kelly, 351 Second St., Excelsior 55331, 612-494-5977.

[H6 P1] Ind. School Dist. No. 281 v. LaBissonniere. Dist. Ct. Nov. 1979. Dismissed. Sp. Ed. Whether IEP for handicapped child was appropriate. Role of court in reviewing administrative procedures. Bernard G. Zimpfer; Levander, Zimpfer and Zotaley, 720 Northstar Center, 625 Marquette Ave., Minneapolis 55402, 612-339-6841.

[P2 D8] Mrs. A.J. v. Minneapolis Special School Dist. No. 1. U.S. Dist. Ct. 1977. Decision Oct. 1979, M. 478 F. Supp. 418. Sp. Ed. Whether a suspension imposed by the school district violated the Minnesota Pupil Fair Dismissal Act because the district imposed a 15 day suspension after an informal administrative hearing. Plaintiff tried to raise the handicapped issue but failed; child not determined to be handicapped until after trial, so 94-142 procedures were not applicable. William F. Messinger, 412 S. 4th St., Minneapolis 55415, 612-338-1931.

[F2] Lamb v. Ind. School Dist. No 719. U.S. Dist. Ct. May, 1978. Class action. Decision June 1979, M. Dismissed. Suit to restore Ms. Magazine to school library. George T. Morrow II and Linda Ojala, Minnesota Civil Liberties Union, 628 Central Ave., Minnesota 55414, 612-378-2436.

[H1 H2] Laura M. v. Special School Dist. No. 1. U.S. Dist. Ct. 1979. Decision Jan. 1980, M. EHLR 552:152. ELB 889. Sp. Ed. Requesting reimbursement for private school tuition. The parents removed the child from public school because he was segregated from regular students. Eric S. Janus, Central Minnesota Legal Services, Inc., 323 Fourth Ave. S., Minneapolis 55415, 612-338-0968.

[P2] M.N. v. Special Dist. No. 1. U.S. Dist. Ct. 1979. Settled. Sp. Ed. Due process in suspension of handicapped pupil. William F. Messinger, 412 S. 4th St., Minneapolis 55415, 612-338-1931.

[F2] Pratt v. Ind. School Dist. No. 831. U.S. Dist. Ct. Jan. 1979. Class action. Decision Jan. 1981, M. Censorship, First Amendment; whether School District has the right to remove the movie "The Lottery" from the curriculum. Philip W. Getts, (MCLU Volunteer) 10 S. 5th St., Minneapolis 55401, 612-339-7633.

[R1] Sasseville v. State High School League. U.S. Dist. Ct. 1978. Settled. Whether Christian Science student had to have a physical examination to compete in interscholastic sports. Linda Miller, Pioneer Bldg., St. Paul 55101, 612-291-0713.

[R2] Stark v. Califano. U.S. Dist. Ct. May 1978. Constitutionality of Title I of Elementary and Secondary Education Act (1965-20 U.S.C. 2701) re aid to private and parochial schools, under establishment clause of First Amendment. Nicholas J. Spaeth; (MCLU Volunteer) Faegre and Benson, Northwestern Bank Bldg., Minneapolis 55402, 612-371-5300.

[R3] Stark v. Ind. School Dist. No 271. U.S. Dist. Ct. May 1980. Decision June 1980, D. Decision CCA 8 June 1980, D. Whether invocation and benediction at graduation ceremony violated the First Amendment. Robert J. Bruno, (MCLU Volunteer), 900 W. 128th St., Burnsville 55337, 612-890-9171.

[D2] Stoll v. Lyle School Bd. Dist. Ct. Mower Co. Aug. 1978. Settled. Challenge to school policy of reducing grades for absenteeism; a "no excuse" policy. Patrick J. O'Meara, 6950 Wayzata Blvd., Minneapolis 55416, 612-542-8200.

[E6] Striebel v. Minnesota State High School League. Dist. Ct. Ramsey Co. 1979. Decision July 1980, D. Supreme Ct. Oct. 1980. Whether scheduling girls' tournaments in different season from boys' tournaments, resulting in poorer training for girls, is discrimination. Diane C. Hanson, (MCLU Volunteer), 4924 IDS Center, Minneapolis 55402, 612-336-8361.

[H6] Strom v. Ind. School Dist. No. 621. U.S. Dist. Ct. 1978. Decision Sept. 1980, D. Sp. Ed. Damages for inappropriate education. George T. Morrow II; Lauhead and Morrow, 100 N. 6th St., Minneapolis 55403, 612-339-5375.

[R2] Van Mueller v. Allen. U.S. Dist. Ct. June 1980. Class action. Separation of church and state, First Amendment, challenging Minnesota statute granting tax deduction for tuition paid to parochial and private schools. William I. Kampf, (MCLU Volunteer), 1320 N. Central Tower, Town Square, St. Paul 55101, 612-291-8044.

MISSISSIPPI

[D1, E2] Blakney v. Ladner. U.S. Dist. Ct. S.D. 1978. Class Action. Withdrawn. Suit contesting disciplinary proceedings on the grounds that the school discriminated against blacks. Joseph Hudson, 1909 Thirtieth Avenue, Gulfport 39501, 601-864-0899.

[B4] Brown v. Sheppard. Chancery Ct. Rankin Co. 1979. Class Action. Settled. Challenging city school policy of charging fees for workbooks, alleging that it violates state law requiring free education. Charles Tabb, Central Mississippi Legal Services, 321 Government St., Brandon 39042, 601-825-8671.

[R1] Brown v. Stone. Chancery Ct. Chickasaw Co. 1978-79. Decision, D. Mississippi Supreme Ct. Decision Dec. 1980, D. 378 So. 2d 218. U.S. Supreme Ct. denied cert. Whether a state law that provides exemptions from vaccinations because of religious reasons is constitutional when a person who is not of a particular denomination cannot receive an exemption. Harry N. Rayburn, Jr., Reynolds and Johnson, Box 22807, Jackson 39205, 601-969-3424.

[S3] Chesser v. Goodloe. U.S. Dist. Ct. S.D. 1979. Class Action. Decision 1979, D. CCA 5 Apr. 1979. Decision 1980, D. Whether student had right to run for school queen even though she was an unwed mother. Charles Ramberg; Ramberg, Walters, & Madden, P.O. Box 1428, Jackson 39205, 601-948-0242.

[H7] Crawford v. Irby. Chancery Ct. June 1979. Preliminary injunction, July 1979. Settled. Sp. Ed. Whether a handicapped student was entitled to summer education beyond 180 days. Dennis Horn, Central Mississippi Legal Services, Box 951, Jackson 39205, 601-948-6752.

[H7] Crawford v. Pittman. U.S. Dist. Ct. N.D. Jan. 1980. Class action. Sp. Ed. Whether the state is required to provide more than 180 days of education for handicapped students who need it. Toby Fishbine, Central Mississippi Legal Services, Box 951, Jackson 39205, 601-948-6752.

[R3] Doe v. Stegall. U.S. Dist. Ct. S.D. Oct. 1979. Decision 1979, D. CCA 5 1979. Whether reading prayers over the school public address system violates the establishment clause of the First Amendment. (District Court) Whether the individual plaintiff must be identified. (Court of Appeals) Charles Ramberg; Ramberg, Walters and Madden, P.O. Box 1428, Jackson 39205, 601-948-0242.

[S2] Edwards v. Mississippi High School Activities Ass'n. Chancery Ct. 1980. Decision Sept. 1980, D. Suit to permit student to play football after transfer from private school to public school when the private school dropped football. Robert Pritchard, 702 Watts Street, Pascagoula 39167, 601-769-2211.

[D9] Goodman v. Cox. U.S. Dist. Ct. S.D. May 1977. Class Action. Settled. Contesting grade reduction for disciplinary reasons, claiming lack of due process hearing. Charles Ramberg; Ramberg, Walters and Madden, P.O. Box 1428, Jackson 39205, 601-948-0242.

[D8] Gowdy v. Cox. U.S. Dist. Ct. 1979. Settled. Contesting the suspension of a child and the school's refusal to permit him to take an examination, alleging lack of hearing. Anna Madden; Ramberg, Walters & Madden, P.O. Box 1428, Jackson 39205, 601-948-0242.

[S3] Gulf Coast Soccer Ass'n. v. Mississippi State Soccer Ass'n. Chancery Ct. 1979. Decision 1979, P. Eligibility of team going to a state tournament. C. R. McRae, P.O. Box 1692, Pascagoula 39567, 601-762-3168.

[S2] Jackson v. Mississippi High School Activities Ass'n. Chancery Ct. 1977. Disposition not known. Sports eligibility case. William Guy; Guy, Dowdy & Whittington, P.O. Box 509, McComb 39648, 601-684-2793.

[S3] Ladner v. Mississippi High School Activities Ass'n. U.S. Dist. Ct. 1977. Moot. Criteria for selecting finalists of the state basketball tournament. Dixon L. Pyles; Pyles & Tucker, 507 E. Pearl Street, Jackson 39201, 601-354-5668.

[S1] Laurenzo v. Mississippi High School Activities Ass'n. U.S. Dist. Ct. Mar. 1980. Temporary injunction denied. CCA 5 Mar. 1980. Temporary injunction granted. Eligibility of a student to participate in sports after transfer from out-of-state school to in-state school when the student moved from his mother's to his father's home. David G. Hill, P.O. Box 112, Oxford 38655, 601-234-4315.

[D8] McClain v. Lafayette Bd. of Ed. U.S. Dist. Ct. Decision Dec. 1980, D. Whether a student's procedural due process rights were violated by a summary hearing. Willy Rose, North Mississippi Rural Legal Services, Box 767, Oxford 38655, 601-234-2918.

[D1] Mitchell v. Bd. of Trustees of Oxford Municipal Separate School Dist. U.S. Dist. Ct. Feb. 1980. Decision Sept. 1980, D. CCA 5 Decision 1980, D. 625 F.2d 660. Whether automatic expulsion from school of a student caught with a knife violates substantive due process. Willy Rose, North Mississippi Rural Legal Services, Box 767, Oxford 38655, 601-234-2918.

[B4] Morgan v. Perritt. Chancery Ct. Paulson Co. 1979. Class Action. Withdrawn. Challenging a county school's policy of charging fees for workbooks, alleging violation of state law requiring free education. Charles Tabb; Central Mississippi Legal Services, 321 Government St., Brandon 39042, 601-825-8671.

[E8] Moton v. Lambert. U.S. Dist. Ct. N.D. Oct. 1980. Class Action. Parents of black public school children challenge the tax exempt status of private segregated schools. Barry Powell; Central Mississippi Legal Services, 200 East Pascagoula Street, Jackson 39205, 601-948-6752.

[D1 D8 E2] Quarles v. Oxford Separate Municipal School Dist. U.S. Dist. Ct. Mar. 1981. Contesting the school district's automatic suspension rule for students found with a knife on school property, claiming that the rule violates the right to a hearing. Also claiming that the child was treated more harshly because he is black. Alvin Chamliss, North Mississippi Rural Legal Services, Box 767, Oxford 38655, 601-234-2918.

[D3] Ridgeway v. Biloxi School Bd. Chancery Ct. Harrison Co. 1980, Decision 1980, P. Cheerleaders were kicked off team for drinking. Clyde O. Hurlbert; O'Barr & Hurlbert, 132 E. Washington St., Biloxi 39533, 601-435-5536.

[S2] Sanders v. Mississippi High School Activities Ass'n. Chancery Ct. 1977. Sports eligibility case. Joseph Zucarro; Zucarro, Riley, Pintard, Brown & Carly, 114 S. Wall St., Natchez 39120, 601-446-6351.

[F3] Sockwell v. Lafayette School Dist. U.S. Dist. Ct. 1977. Settled. Contesting expulsion for manner of dress and hair style. David Hill, P.O. Box 112, Oxford 38655, 601-234-4315.

[S2] Steen v. Mississippi High School Activities Ass'n. Chancery Ct. Hines Co. 1977. Decision 1977, D. Suit to permit student to play baseball in his senior year, having repeated the ninth grade. Jim B. Reynolds; Steen, Reynolds, Dalehite, & Currie, P.O. Box 900, Jackson 39205, 601-969-7054.

[S3] Travillion v. Mississippi High School Activities Ass'n. Chancery Ct. 1980. TRO granted then retracted on hearing. Suit to permit school teams to play in a state tournament; the defendant had placed the school on probation thus making the teams ineligible for state tournaments. Everett Sanders, P.O. Box 528, Port Gibson 39150, 601-366-6307.

[D8] Williams v. Wiggington. U.S. Dist. Ct. S.D. 1977. Class Action. Settled. Suit contending lack of procedure to appeal from the school principal in discipline procedures. Suzanne Griggins; Central Mississippi Legal Services, P.O. Box 277, Mendenhall 39114, 601-847-4321

MISSOURI

[R1] Aldridge v. Normandy School Dist. U.S. Dist. Ct. E.D. July 1980. Consent decree. 14 CHR 762. ELB 1037. Plaintiff sued to receive diploma that was withheld for failure to satisfy physical education requirement, alleging that the requirement violates religious convictions. Stanley Eichner, Legal Services of Eastern Missouri, 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[D8] Barker v. Kingsville School Dist. U.S. Dist. Ct. W.D. 1980. Partial decision (on due process issue) Mar. 1980, D. Student expulsion (for homosexual conduct) was contested for lack of due process in hearing procedures. Plaintiff also seeks damages for loss of a year of school. Norman Humphrey, Jr.; Burns and Humphrey, 123 West Kansas Street, Independence 64050, 816-836-5050.

[S1] Barnhorst v. State High School Ath. Ass'n. U.S. Dist. Ct. W.D. Nov. 1980. Decision Apr. 1981, D. 504 F. Supp. 449. Suit contesting rule that high school student cannot participate in interscholastic athletics for one year after changing schools, claiming violation of equal protection because the one year rule did not apply to non-sport activities or to private schools. Thomas F. Sullivan, P.O. Box 2033, Overland Park, Kansas 66201, 913-384-5454.

[E1] Black v. State of Missouri. U.S. Dist. Ct. W.D. May 1977. Preliminary rulings 460 F. Supp. 421, 593 F. 2d 493. Suit for integration of schools in Kansas City and surrounding communities (Kansas City school district was originally plaintiff, but was designated defendant by the district court). Arthur A. Benson III; Benson & McKay, 911 Main, Kansas City 64105, 816-842-7603.

[B1] Bronestine v. Geisendorph. Cir. Ct. Lewis Co. Mar. 1980. Decision 1980, D. Ct. of Appeals. Decision Mar. 1981, D. 613 S.W. 2d 465. Parents sue to prevent transfer of students from one school to another, contesting the additional travel necessary. Howard L. Snowden, P.O. Box 93, La Grange 63448, 314-655-4733.

[D1] Davis v. Pattonville R-3 School Dist. Cir. Ct. St. Louis Co. TRO, then withdrawn. Principal suspended student for the rest of the semester for excessive absences. George Dorsey, 110 South Central Street, Clayton 63105, 314-727-1300.

[H1 P1] Drew v. State Dept. of Ed. U.S. Dist. Ct. W.D. 1978. Sp. Ed. Cost of private placement. Whether the parents must exhaust administrative remedies when they requested and were refused a due process hearing. Millard F. Aldridge; Aldridge & Hall, 406 W 34th St., Kansas City 64111, 816-531-5842.

[D8] Eaton v. Merrill. Cir. Ct. Caldwell Co. Apr. 1980. Decision May 1980, P. Charge of lack of due process in an expulsion hearing, especially right to cross examine and right to counsel. George Ely, P.O. Box 276, Hamilton 64644, 816-583-2191.

[H1 P1] J.M.H. v. Mallory. U.S. Dist. Ct. W.D. 1979. Settled 1980. Sp. Ed. Suit for reimbursement for placing child in a private facility and for payment for continuing education in the facility. Whether administrative remedies were exhausted. Thomas O'Donnell, 324 E. Dartmouth Rd., Kansas City 64113, 816-421-2710.

[H8] Levy v. Wentz. Cir. Ct. St. Louis Co. 1977. Settled. ELB 724. Sp. Ed. Suit for transportation of EMR and LD students to school. Stanley Eichner, Legal Services of Eastern Missouri, 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[P2] E.M. v. Brown. U.S. Dist. Ct. E.D. 1979. 13 CHR 792. ELB 902. Sp. Ed. Suit contesting discipline procedure for suspension (with expulsion threatened) of a handicapped child, claiming that suspension requires review by the IEP team. Stanley Eichner, Legal Services of Eastern Missouri, 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[H2] Mallory v. Drake. Cir. Ct. Cole Co. Jan. 1980. Decision June 1980, D. Ct. of Appeals July 1980. Sp. Ed. Whether child should be placed in public school instead of state school for handicapped. Leslie Schneider, Attorney General's Office, P.O. Box 899, Jefferson City 65102, 314-751-3321.

[H7] Mallory v. Riles. Cir. Ct. Cole Co., 1980. Decision Feb. 1981, P. Ct. of Appeals Mar. 1981. Sp. Ed. Whether a handicapped child is entitled to more than 180 days education. Leslie Schneider, Attorney General's Office, P.O. Box 899, Jefferson City 65102, 314-751-3321.

[H1] Miener v. Missouri. U.S. Dist. Ct. E.D. Aug. 1979. Decision Jan. 1980, D. 498 F. Supp. 494. Decision Sept. 1980, D. 498 F. Supp. 949.

CCA 8 Sept. 1980. Sp. Ed. Suit for private placement out of state. Damages for failure to provide an appropriate education. Steve Leonard; Guilfoil, Symington, Petzall & Shoemake, 100 N. Broadway, St. Louis 63105, 314-241-6890.

[A3] *State ex rel. Miller* v. *McLeod*. Cir. Ct. Texas Co. 1978. Decision, P. Ct. of Appeals 1980. Decision Aug. 1980, P. 605 S.W. 2d 160. Whether the school board should grant a high school diploma--the student had completed only seven semesters and had 21 1/2 credits, rather than the 22 that the school board claimed necessary. Ronald J. Fuller, P.O. Box 462, Rolla 65401, 314-364-4204.

[O1] *State ex rel. Mix* v. *Wellston School Dist.* Cir. Ct. St. Louis Co. Mar. 1981. Mandamus granted Mar. 1981. Ct. of Appeals Mar. 1981. Whether the school district must pay the expense of schooling elsewhere when the district's high school is unaccredited. Robert J. Goodwin, Legal Services of Eastern Missouri 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[S2] *Mitchell* v. *Clever School Dist*. Cir. Ct. Christian Co. Mar. 1981. Withdrawn. Contesting the school's refusal to allow student to play on school baseball team because the student had gone to baseball camp. Robert Wiley, 114 N. Commerce Street, Crane 65633, 417-723-5206.

[O1] *Neaf* v. *Mallory*. Cir. Ct. Oct. 1980. Decision Dec. 1980, P. Ct. of Appeals Dec. 1980. Whether a child can take a high school equivalency test without permission from school authorities. Joseph Neaf, 611 North Second St., Owensville 65066, 314-437-2614.

[E2 P2] *Tyron P.* v. *Maschmeyer*. U.S. Dist. Ct. E.D. Dec. 1977. Class action. Settled. ELB 729. Sp. Ed. The expulsion of handicapped child was challenged on grounds of race discrimination and violation of the handicapped laws. Robert J. Goodwin, Legal Services of Eastern Missouri 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[D1] *Ring* v. *Reorganized School Dist. No. 3*. Cir. Ct. Johnson Co. 1980. Decision 1980, D. Ct. of Appeals 1980. Decision Dec. 1980, D. 609 S.W. 2d 241. Suit contesting an indefinite expulsion on the grounds that the punishment is excessive and that the school refused to compel testimony from a witness who could exculpate plaintiff. Charles B. Fitzgerald, 219 N. Holden Street, Warrensburg 64093, 816-747-3188.

[D1 D8] *Root* v. *Kingsville School Dist*. Cir. Ct. Johnson Co. 1978. Decision Feb. 1980, D. Ct. of Appeals 1980. Settled. Whether adequate notice was given in a disciplinary proceeding. Whether there was sufficient evidence of the act punished. Whether the punishment was too harsh. Felix Gross, P.O. Box 145, Pleasanthill 64080, 816-987-2124.

[D8] *Sharon* v. *Lankford*. U.S. Dist. Ct. W.D. 1979. TRO 1979, then dropped. Whether a principal can suspend a child for verbally abusing a teacher off school grounds, without written notice and hearing. Mike Garrity, Legal Aid of Western Missouri, Frisco Bldg., Joplin 64801, 417-782-1650.

[H2 H6 P1] *Sherer* v. *Waier I*. U.S. Dist. Ct. W.D. 1977. Decision Nov. 1977, D. 457 F.Supp. 1039. Sp. Ed. Suit to have child with spinal bifida placed in regular classroom (instead of segregated classroom) in public school and to have the school (instead of the mother) provide intermittent catheterization. Also seeks damages. Whether administrative remedies should be exhausted. Millard F. Aldridge; Aldridge & Hall, 406 W. 34th St., Kansas City 64111, 816-531-5842.

[H2 H6] Sherer v. Waier II. U.S. Dist. Ct. W.D. July 1978. Settled. ELB 728, 831. Sp. Ed. Suit to have a child with spinal bifida placed in regular classrooms (instead of segregated classroom for handicapped children) in public school, and to have intermittent catheterization services provided. Whether federal aid to the defendant school should be terminated for violation of special education law. Millard F. Aldridge; Aldridge & Hall, 406 W. 34th St., Kansas City 64111, 816-531-5842.

[H6] Smith v. Appleton City School Dist. U.S. Dist. Ct. W.D. Mar. 1981. Sp. Ed. Girl with speech handicap seeks use of speech therapist in school. John A. Sanders, P.O. Box 100, Clinton 64735, 816-885-5501.

[H2] St. Louis D D Treatment Center Parents' Ass'n. v. Mallory. U.S. Dist. Ct. W.D. 1979. Class action. 14 CHR 167. Sp. Ed. Suit on behalf of severely handicapped children in institutions and segregated school systems, requesting more integration into regular schools. Stanley Eichner, Legal Services of Eastern Missouri, 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[B1] Sturgess v. Guerrant. Cir. Ct. Calloway Co. Apr. 1977. Decision Feb. 1978, P. Ct. of Appeals 1978. Decision June 1979, P. 583 S.W. 2d 258. Suit to have students reassigned to a school closer to home, in an adjoining school district. James Swearengen; Hawkins, Brydon and Swearengen, 312 East Capitol Ave., Jefferson City 65102, 316-635-7166.

[H2] Vogel v. Montrose School Dist. Cir. Ct. Henry Co. 1978. TRO, then case dismissed when plaintiff appealed the hearing decision to federal court. Sp. Ed. Suit to keep child in present placement pending administrative hearing. John A. Sanders, P.O. Box 100, Clinton 64735, 816-885-5501.

[H2 P1] Vogel v. School Bd. of Montrose R-14 School Dist. U.S. Dist. Ct. W.D. 1978. Decision May 1980, P. 491 F. Supp. 989. Sp. Ed. Suit to contest transfer of handicapped child from elementary school to state school for severely handicapped. Whether child can be excluded from school during hearing. Whether a deputy commissioner of education, rather than an impartial hearing officer, can hold due process hearing. Whether the hearing examiner must make a written finding of fact. John A. Sanders, P.O. Box 100, Clinton 64735, 816-885-5501.

[R2] Wamble v. Boyer. U.S. Dist. Ct. 1977. Suit contesting department of education's use of Title I funds for special education at religious schools. Pro se. Intervenor: Lee Boothby, Americans United for Separation of Church and State, 8120 Fenton, Silver Spring MD 20910, 301-589-3767.

[H7] Yaris v. Special School Dist. of St. Louis Co. U.S. Dist. Ct. E. D. May 1980. Class Action. Sp. Ed. Suit to provide summer programs for handicapped children in Missouri. Kenneth Chackes; Chackes & Hoare, 314 N. Broadway, St. Louis 63102, 314-241-7961.

[D8] Zaletel v. Lawson. Cir. Ct. St. Louis Co. Mar. 1979. Decision Apr. 1979, D. Suit for reinstatement pending hearing on disciplinary procedure. Stanley Eichner, Legal Services of Eastern Missouri, 625 N. Euclid Ave., St. Louis 63108, 314-367-1700.

[S1] Zander v. Missouri High School Ath. Ass'n. U.S. Dist. Ct. E.D. Apr. 1981. Decision Apr. 1981, P. CCA 8 Apr. 1981. Decision Apr. 1981, D. Appeal to U.S. Supreme Ct. Apr. 1981. Eligibility for sports (tennis) after moving to a Florida high school for a year and back to the Missouri schools. Arthur S. Margulis; Margulis, Drumm, and Rapp, 7701 Forsyth Ave., Suite 1070, St. Louis 63105, 314-721-6677.

MONTANA

[H6] Matter of "A" Family. Dist. Ct. Flathead Co. Mar. 1979. Decision Oct. 1979, P. Supreme Ct. 1979. Decision Oct. 1979, P. 602 P.2d 157. Sp. Ed. Whether 94-142 requires defendant school district to pay for psycotherapy for handicapped child. John Albrecht, P.O. Box 193, Choteau 59422, 406-466-5611.

[H2 H6] Fishback v. Zanto. U.S. Dist. Ct. Mar. 1979. Class action. Sp. Ed. Complaint that children are not receiving 6 hours of education per day as required by state statute. Children not taught by certified teacher. No procedures for "mainstreaming." John Albrecht, P.O. Box 193, Choteau 59422, 406-466-5611.

[H2] Frisch v. Bd. of Trustees, Jefferson City H.S. Dist. U.S. Dist. Ct. Sept. 1978. Settled. Sp. Ed. Denial of education. High school refused to admit handicapped child. Mainstreaming. John Albrecht, P.O. Box 193, Choteau 59422, 406-466-5611.

[F2] Helena Citizens for Freedom of Expression v. School Dist. No. 1. U.S. Dist. Ct. Oct. 1978. Dismissed for lack of standing. 14 CHR 162. Whether removal of book "Our Bodies Ourselves" from library constituted unwarranted censorship. Whether school board followed its own rules when removing books. James Zion, ACLU of Montanta, P.O. Box 1255, Helena 59601, 406-442-3261.

[S2] Henderson v. Montana High School Activities Ass'n. Dist. Ct. Gallatin Co. Sept. 1978. Decision Oct. 1978, D. Student contests the age limitations rule for eligibility for high school athletics, arguing that he needed an athletic scholarship to continue his education. James M. Kommers; Landoe & Brown, P.O. Box 1, Bozeman 59715, 406-586-4351.

[B4] Henry v. Box Elder School Dist. 12th Dist. Ct. Hill Co. Apr. 1979. Settled July 1980. Propriety of charging fees for shop and athletic equipment when school was collecting funds for such purposes under the Johnson-O'Malley Act which provides funding for schools with a large number of Indians. Montana constitution guarantee of free education. James Zion, ACLU of Montanta, P.O. Box 1255, Helena 59601, 406-442-3261.

[D4 D9] Henry v. Holm. U.S. Dist. Ct. Feb. 1981. 13 CHR 226. Whether school principal physically disciplined a student "in a spirit of anger" in contravention of state Pupil Discipline Act. Whether there was a violation of the due process regulations contained in the B.I.A. rules. James Zion, ACLU of Montana, P.O. Box 1255, Helena 59601, 406-442-3261.

[H6] Kelly v. Bd. of Trustees of Kalistell School Dist. U.S. Dist. Ct. 1978. Sp. Ed. Whether parents of "learning disabled" child can get the regular classroom teacher to give extra effort and attention to the child during regular classes. Rosemary Zion, Zion Law Firm, P.O. Box 1255, Helena 59601, 406-442-3261.

[H1] McLeod v. Rice. U.S. Dist. Ct. 1978. Decision Apr. 1978, D. Sp. Ed. Suit for out-of-state residential placement instead of placement in the local program for trainable mentally retarded children. John Albrecht, P.O. Box 193, Choteau 59422, 406-466-2621.

[F6] Matter of Pape. Dist. Ct. Gallatin Co. Jan. 1981. Whether it is in the best interest of an exceptionally bright 12 year old, who has a severe diabetic condition needing continual treatment, to be excused from attending school, where school district is not capable of meeting the child's academic and medical needs. Peter Michael Meloy; Herron, Meloy & Llewellyn, Securities Bldg., Helena 59601, 406-442-9430.

[E4] Heavy Runner v. Bremner. U.S. Dist. Ct. Aug. 1978. Class action. Suit to compel school boards to teach the Pikuny (Blackfeet) language as a living language, to put in substantive, bi-cultural courses taught in the Pikuny language, to hire people competent to teach in that language and to pay them commensurately with their skills. Action is by third-party beneficiary to enforce contract between the federal government and the school system. Sharon Morrison; Morrison Law Offices, P.O. Box 8687, Missoula 59807, 406-721-1835.

[H2 H6] Torrance v. Bd. of Trustees of Sweetgrass School Dist. U.S. Dist. Ct. Aug. 1978. Class action. Sp. Ed. Whether the state has the responsibility to follow through to see that the handicap act is followed by the local school boards. Suit seeks mainstreaming and developing local resources rather than sending children to a special school far from home. Rosemary Zion, Zion Law Firm, P.O. Box 1255, Helena 59601, 406-442-3261.

NEBRASKA

[H6] Ausenbaugh v. Papillion Public Schools. State Dist. Ct. 1980. Decision 1980, D. Sp. Ed. Whether the state has to provide occupational therapy as demanded by state law. James C. Cripe, 1223 Golden Gate Center, Papillion 68446, 402-339-8059.

[R2] Bouc v. School Dist. City of Lincoln. State Dist. Ct. Lancaster Co. Oct. 1980. Decision Feb. 1981, P. Appealed to Nebraska Supreme Ct. A catholic school student sues the school district for bus transportation to school. The school district argued that such transportation violated state and federal laws restricting aid to catholic schools. Steven G. Seglin; Crosby, Guenzel, Davis, Kessner & Kuester, 400 Lincoln Benefit Bldg., Lincoln 68508, 402-475-5131.

[D3 D9] Braesch v. De Pasquale. State Dist. Ct. 1978. Decision 1978, P. Nebraska Supreme Ct. 1978. Decision May 1978, D. 265 N.W. 2d 842. Can the school district exclude students from interscholastic athletic programs because of alcohol use off campus? Were procedural due process requirements met even though students admitted guilt? Clayton H. Shrout, 1004 City Nat'l. Bank Bldg., Omaha 68102, 402-342-8015.

[HO] Brungardt v. Norfolk Public Schools. State Dist. Ct. 1979. Decision Mar. 1981, P. Sp. Ed. Whether a state regulation requiring a child to be maintained at the same level of education as before the law existed is constitutional. Richard E. Mueting; Mueting & Delay, Box 1307, Norfolk 68701, 402-371-4330.

[H1] Burgeson v. Gretna Public Schools. State Dist. Ct. 1978. Decision, D. Sp. Ed. Whether the school district must pay for an emotionally handicapped child when the child is attending a school certified to help learning disabled children? Meyer H. Coren; Viren, Epstein, Leahy & Coren, 200 1st West Side Bank Bldg., 222 S. 72nd, Omaha 68114, 402-397-4141.

[S2] Campagno v. Nebraska School Activities Ass'n. U.S. Dist. Ct. Aug. 1978. Decision 1978, D. Whether the N.S.A.A. rule concerning residency for eligibility purposes, when participating in interscholastic sports, is constitutional. Bruce Bosburg, 1000 Woodmen Tower, Omaha 68102, 402-342-5550.

[D1] Conway v. School Dist. No. 145. State Dist. Ct. Oct. 1978. Decision 1980, P. Whether a student can be subjected to a long term suspension for the use of drugs off school property but during the time school was in session. Craig D. Wittstruck, Box 4554, Lincoln, 407-466-8444.

[H1 H5 H7] Diest v. Adams Central Public Schools. State Dist. Ct. Nov. 1980. Sp. Ed. Whether year round educational placement is appropriate. Whether the state should bear the education cost. Whether compensatory education after 21 is appropriate. Whether student was denied education in the past. Jeffrey H. Jacobsen; Jacobsen, Orr & Nelson, P.O. Box 1220, Kearney 68847, 308-234-5779.

[H6 P1] Ernest v. Region IV Bd. of Directors. State Dist. Ct. Wayne Co. June 1980. Temporary injunction June 1980 then case dismissed. Sp. Ed. Whether a region's board of directors can terminate services for special education without consulting the parents. Whether weekend care for the student was essential. David A. Domina; Jewell, Otte, Gatz, Collins & Domina, Box 1367, Norfolk 68701, 402-371-4844.

[D3 D8] French v. Cornwell. State Dist. Ct. 1977. Decision Nov. 1977, D. Nebraska Supreme Ct. Decision Mar. 1979, D. 276 N.W. 2d 216. Whether the school followed state procedures when it suspended a student for alcohol use off campus. Whether damages are appropriate for suspended student because he lost his chance to participate in wrestling competition. H. E. Hurt, Jr.; Hurt & Gallant, Pearl St. at 5th St., Scribner 68057, 402-666-2597.

[E6] Gehring v. Bennett. U.S. Dist. Ct. Oct. 1980. Settled 1980. Whether a school can prohibit a pregnant woman from playing volleyball in a competitive setting. Karen B. Flowers; Bauer, Galter, Geier, Flowers & Thompson, 811 S. 13th St., Lincoln 68508, 402-477-4458.

[H5 H7] Gering Public Schools v. Grassmick. U.S. Dist. Ct. Aug. 1980. Sp. Ed. Appeal by the school district from a hearing decision that the school district must provide year-round education for special education child. Defendants counterclaim for compensatory education past 21. Donn C. Raymond; Raymond, Olsen & Coll, Box 237, Scottsbluff 69361, 308-632-3811.

[H7] Grassmick v. Gering Public Schools. State Dist. Ct. Sept. 1980. Temporary injunction. Sp. Ed. Proceedings to enforce compliance with the Commissioner of Education's order granting plaintiff a twelve-month education program and special instructor. See Gering case supra. Steven C. Smith; Van Steenberg, Brower, Chaloupka, Mullin & Holyoke, P.O. Box 668, Gering 69341, 308-436-3411.

[D1] Johnson v. School Dist. of Omaha. State Dist. Ct. 1978. Decision May 1979, D. Whether a school can expel a child for a school year for drug use. Michael W. Heavey; Dwyer, O'Leary & Martin, 810 Woodmen Tower, Omaha 68102, 402-344-3802.

[D3] Jostes v. Ralston School Dist. U.S. Dist. Ct. May 1979. TRO June 1979. Moot. Whether school administrative officials can forbid a student to participate in sports competition because of poor sportsmanship. James T. Boler; Moore & Boler, 312 N. 115th, Omaha 68154, 402-334-8922.

[P2] Ketchum v. Raymond Central School Dist. Dist. Ct. Lancaster Co. 1980. TRO, then settled. Sp. Ed. Whether children suffering from learning disability may be expelled from school with normal procedures rather than special education appeals procedures. Tim Sindelar; Legal Services of Southeast Nebraska, 800 Anderson Bldg., Lincoln 68508, 402-435-2161.

[H2 H6] Larson v. Aurora School Dist. State Dist. Ct. 1978. Decision 1978, D. Sp. Ed. Whether school district must provide education for single deaf student or whether placement in state school is appropriate. Edwin C. Perry; Perry, Perry, Witthoff & Guthery, 1806 1st National Bank Building, Lincoln 68508, 402-475-2856.

[R2] Lyons v. School Dist. of the City of Lincoln. State Dist. Ct. Lancaster Co. 1981. Class action. The case is waiting for the decision of Bouc v. School Dist. of Lincoln, supra. Whether damages are appropriate when the school district has not implemented a program to allow students of religious schools to ride public school buses. Steven G. Seglin; Crosby, Guenzel, Davis, Kessner & Kuester, 400 Lincoln Benefit Bldg., Lincoln 68508, 402-475-5131.

[H1 P1] Monahan v. State. U.S. Dist. Ct. Mar. 1980. Class Action. Preliminary injunction May 1980. 491 F. Supp. 1074. CCA 8 1980. Decision Apr. 1981, M. Sp. Ed. Suit for placement outside the public schools. The plaintiff also contests the authority of the Commissioner of Education to review the hearing examiner's decision. James H. Monahan, 623 Service Life Building, Omaha 68102, 402-346-1700.

[H2] Monroe v. Scottsbluff School Dist. State Dist. Ct. June 1980. Sp. Ed. Whether the child should be placed in a special education unit or "mainstreamed" into the public school system. Dennis M. Coll; Raymond, Olsen & Coll, P.O. Box 237, Scottsbluff 69361, 308-632-2151.

[R4] Nebraska ex rel. Douglas v. Faith Baptist Church. State Dist. Ct. 1978. Decision Aug. 1979, P. Nebraska Supreme Ct. decision Jan. 1981, P. 301 N.W. 2d 571. Whether the state can regulate student attendance at a religious school. Whether the teachers and operation must be certified by the state. Harold I. Mosher; Attorney General's Office, State Capitol, Lincoln 68509, 402-471-2682.

[E6 S2] Reisdorff v. Nebraska School Activities Ass'n. U.S. Dist. Ct. Jan. 1977. Decision 1977, D. The student was ruled ineligible by the association for competing in a non-school meet. Alleges sexual discrimination. Mike Washburn, West Dodge Road, Suite 8420, Omaha 68114, 402-397-2200.

[B1] Richardson v. Bd. of Ed. School Dist. No. 100. State Dist. Ct. 1977. Decision, P. State Supreme Ct. 1980. Decision 1980, P. 290 N.W. 2d 803. Whether the local school district should pay for a child's education, as provided by state law, when a child goes out-of-state to school because of the distance to the local school. Whether the state law was constitutional. Edward E. Hannon; Cronin, Hannon & Symonds, Box 116, O'Neill 68763, 402-336-1921.

[H1] Rose v. Bd. of Ed. U.S. Dist. Ct. Feb. 1980. Dismissed Oct. 1980. Sp. Ed. Suit for placement of a deaf child in a private school. The court dismissed the suit because it was the same case as Monahan above. E. Dean Hascall; Hascall, Jungers & Garvey, 101 W. Mission Ave., Bellevue 68005, 402-291-8900.

[H1 P1] Rose v. State. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Suit to terminate federal special education funds to Nebraska for alleged due process violations. The defense claims this is the same cause of action as Monahan v. State supra. Pro se. Defense Attorney is Harold Mosher, Attorney General's Office, State Capitol, Lincoln 68509, 402-471-2682.

[R2] School Dist. of the City of Lincoln v. St. Mary's Catholic Church. Dist. Ct. Lancaster Co. 1980. Withdrawn (and the issues litigated in the BOUC case). Suit by the School, City and State for declaratory judgment concerning their obligations to provide transportation to students in catholic schools. Edwin Perry; Perry, Perry, Witthoff & Guthery, 1806 National Bank Building, Lincoln 68508, 402-475-2856.

[H0] Seldin Development & Management Co. v. Chizak. State Dist. Ct. 1979. Decision June 1980, D. State Supreme Ct. 1980. Decision Mar. 1981, P. Sp. Ed. Whether a special education child's part time work as a janitor, in a work study program, was such an integral part of his education that the employer was exempt from unemployment compensation taxes. C. Robert Vote; Young & White, Suite 201, 10050 Regency Circle, Omaha 68114, 402-393-5600.

[R4] Sileven v. State of Nebraska. Dist. Ct. 1978. Decision D. A church school contests the state requirements for certification of schools and licensing of teachers. Charles Craves; Gibbs & Craves, 6929 W. 130 Street, Cleveland, Ohio 44130, 216-845-6800.

[D1 D8] Stumbaugh v. Bd. of Ed. of School Dist. No. 145. U.S. Dist. Ct. 1978. Abstained. State Dist. Ct. Nov. 1978. Decision May 1979, P. Whether a student can be expelled for drug use off school property, but while school is in session. Also question of procedural due process. Patricia K. Williams, Box 82248, Lincoln 68501, 402-477-4141.

[D1 D8] Stumbaugh v. Bd. of Ed. School Dist. 145. Dist. Ct. Lancaster Co. Nov. 1978. Decision May 1979, P. Whether a student can be expelled for drug use off school property, but while school is in session. Also procedural due process questions. Patricia Williams, Box 82248, Lincoln 28501, 402-477-4141.

[S2] Teare v. Bd. of Ed. of Grand Island. U.S. Dist. Ct. 1977. Decision 1977, D. The student contests ineligibility for sports for taking too few classes. James A. Kelly, Hall County Courthouse, Grand Island 68801, 308-381-5135.

NEVADA

[S1] Gibbs v. Clark Co. School Dist. Dist. Ct. Clark Co. 1979. Settled. Suit contesting the school's determination that plaintiff was ineligible to play sports after changing schools. Peter C. Bernhard; Hilbrecht, Jones, Schreck & Bernhard, 600 East Charleston Blvd., Las Vegas 89104, 702-382-2101.

[D3] Gordon v. Nevada Interscholastic Activities Ass'n. Dist. Ct. Clark Co. 1979. Injunction granted. Suit contesting school board's suspension of student from sports for disciplinary reasons. Thomas L. Pursel, 520 South Fourth Street, Las Vegas 89101, 702-382-7577.

[S1] Guinn v. Clark Co. School Dist. Dist. Ct. Clark Co. 1980. Decision Sept. 1980, P. Nevada Supreme Ct. 1980. Suit contesting the school's determination that plaintiff is ineligible to play sports after changing schools. Peter C. Bernhard; Hilbrecht, Jones, Schreck & Bernhard, 600 East Charleston Blvd., Las Vegas 89104, 702-382-2101.

[D3 D9] Harrowa v. Washoe Co. School Dist. Dist. Ct. Washoe Co. 1977. TRO, then settled. A girl's suspension from athletic activities for marijuana possession is contested on the grounds that the hearing procedures violated due process. Donald K. Pope, 275 Hill Street, Suite 26, Reno 89501, 702-329-0453.

[H7] Krandall v. Nevada State Bd. of Ed. U.S. Dist. Ct. Aug. 1979. Class action. Withdrawn Oct. 1980. 13 CHR 695. Sp. Ed. Suit for full year education for handicapped children. James M. Stuart, Department of Transportation, 1263 S. Stewart Street, Carson City 89712, 702-885-5420.

[S1] Mason v. McFarland. Dist. Ct. Clark Co. Dec. 1980. Decision Jan. 1981, D. Sports eligibility after changing schools; whether private school actions are state actions. Darrell Lincoln Clark; Clark and Zubel, 302 East Carson Street, Las Vegas 89101, 702-382-5963.

[S1] Pursel v. Nevada Interscholastic Activities Ass'n. Dist. Ct. Clark Co. Oct. 1977. Decision 1977, P. Contesting students' ineligibility for sports for one year after moving to public school on grounds that the rules were more lenient for students moving from public to private schools than those moving from private to public schools. Thomas L. Pursel, 520 South Fourth Street, Las Vegas 89101, 702-382-7577.

[H1] Rau v. Clark Co. School Dist. Dist. Ct. Clark Co. Nov. 1980. Decision Nov. 1980, P. Sp. Ed. The child was granted placement in an out-of-state school, and suit was brought to force the school district to pay the tuition (after the out-of-state school threatened to dismiss the child for not paying tuition). Robert Massi, 3407 West Charleston Blvd., Las Vegas 89102, 702-870-3416.

[S1] Spilotro v. McFarland. Dist. Ct. Clark Co. 1981. Decision Apr. 1981, D. Contesting rule stating that students are ineligible for sports for one year after changing schools. Thomas F. Pitaro, 3407 West Charleston Blvd., Las Vegas 89102, 702-870-3416.

[H5] Thiessen v. Sanders. Dist. Ct. Washoe Co. Mar. 1981. Sp. Ed. Whether state law requires the state to provide special education for children under three years old. Henry Cavallera, Law Center for the Disabled, Box 1608, Reno 89501, 702-323-0777.

[D8] Watts v. Clark Co. School Dist. Dist. Ct. Clark Co. 1980. Injunction 1980, then settled. Contesting suspension from school for excessive absences, alleging that notice of rights at the hearing was defective. Mark G. Tratos; Mills, Galliher, Lukens, Gibson, Schwartzer, and Shinehouse, 316 E. Bridger Ave., Las Vegas 89101, 702-386-0030.

NEW HAMPSHIRE

[P2] Doe v. School Administrative Unit 40. U.S. Dist. Ct. Jan. 1980. Settled. ELB 902. Sp. Ed. Whether 21 day suspension of a student with learning disability would amount to a change in placement under 94-142. Ron Lospennato, D.D. Advocacy Center, P.O. Box 19, Concord 03301, 603-228-0432.

[H2] Garrity v. Gallen. U.S. Dist. Ct. Apr. 1978. Class action. Sp. Ed. Whether the 90 handicapped children at the state institution in Laconia are denied appropriate education in the least restrictive setting. John MacIntosh, New Hampshire Legal Assistance, Inc., 136 N. Main St., Concord 03301, 603-224-3333.

[H1 H7] In re Richard K. Dist. Ct. Hooksett, 1979. Decision June 1979, P. ELB 909. EHLR 551:192. 13 CHR 394. Superior Ct. Merrimac Co. 1979. Decision July 1980, vacated Dist. Ct. decision for lack of jurisdiction. Sp. Ed. The child appealed a decision denying educational placement in a neglect proceeding. Whether placement can exceed 180 days. Attorney for defendant-child is John MacIntosh, New Hampshire Legal Assistance, Inc., 136 N. Main St., Concord 03301, 603-224-3333.

[D8] Kelley v. Johnson. U.S. Dist. Ct. 1977. Decision 1978, P. Whether a student had due process on his suspension hearing. Wilfred L. Sanders, Jr.; Sanders and McDermott, P.C., 408 Lafayette Rd., Hampton 03842, 603-926-8926.

[H9] Laconia School Dist. v. State Bd. of Ed. Superior Ct. Feb. 1980. Sp. Ed. Whether payments for special education by the state should be made directly, or through the school district, and what proportion of special education costs the school district should pay. Bradley F. Kidder; Nighswander, Lord, Martin & Killkelly, P.O. Box 189, Laconia 03246, 603-524-4121.

[H1 H9] LeClerc v. Thompson. U.S. Dist. Ct. Feb. 1978. Class action. Settled. Sp. Ed. Suit to compel the school districts to pay the costs of residential placement of handicapped children and to compel the state to pay its share. Anthony A. McManus; McManus & Johnson, 52 Old Rochester Rd., Dover 03820, 603- 742-7916.

[H8] Lloyd v. Wakefield School Dist. Superior Ct. Carroll Co. Aug. 1980. Decision Dec. 1980, P. New Hampshire Supreme Ct. Jan. 1981. Sp. Ed. Whether the school district is required to provide transportation over a private road for two handicapped children. Donald F. Whittum; Cooper, Hall & Walker, 76 Wakefield St., Rochester 03867, 603-332-1234.

[E6] Martin v. Nashua School Dist. Superior Ct. Hillsborough Co. Nov. 1979. Whether a girl had the right under the state equal rights statute to try out for the football team, and for damages. Robert E. Bowers, Jr.; McSwiney, Jones & Semple, Main St., New London 03257, 603-526-6955.

[B1] Mathieu v. Fortin. Superior Ct. Merrimac Co. Mar. 1980. TRO Apr. 1980. Decision May 1980, P. Action for injunction and damages for school's failure to abide by its rule that children properly enrolled in school may complete the year even if their residence is moved out of the school district. Terrie Harman; Myers & Laufer, 4 Park St., Concord 03301, 603-228-1151.

[P1] Allison N. v. Hanover School Bd. U.S. Dist. Ct. Nov. 1980. Class action. Sp. Ed. Whether school board has the right, under 94-142, to review the PPT recommendations and reverse them. Ron Lospennato, DD Advocacy Center, P.O. Box 19, Concord 03301, 603-228-0432.

[F6] Peirce v. N.H. State Bd. of Ed. New Hampshire Supreme Ct. Mar. 1981. Whether parents can educate their seven year old son at home. Whether they were denied due process by the local school board which failed to cooperate, as required by statute and regulation, and failed to specify what the board thought would be the deficiencies in the child's home education. Robert M. Larsen; Sulloway, Hollis & Soden, 9 Capitol St., Concord 03301, 603-224-2341.

[B3 D7] Rose v. Nashua Bd. of Ed. U.S. Dist. Ct. Dec. 1980. Class action. Decision Feb. 1981, D. CCA 1 Mar. 1981. Whether temporary suspension of school bus routes, without a hearing, as a disciplinary measure for disturbances on the bus, denies plaintiff procedural due process--public transportation to and from school being a protectible property interest under state law. Whether substantive due process is denied by disciplining all for the behavior of one or two. Kris E. Durmer; Kahn, Brown & Bruno, 127 Main St., Nashua 03060 603-882-1600.

[F2] Salvial v. Nashua Bd. of Ed. U.S. Dist. Ct. 1978. Class action. Decision May 1979, P. ELB 988. Challenge to removal of Ms. magazine from school library. Stephen E. Borofsky, The Legal Clinics, 221 Hanover St., Manchester 03104, 603-625-6441.

[F6] Tompkins v. State. Superior Ct. Cheshire Co. July 1979. Dismissed without prejudice 1980. Challenge to strict interpretation of compulsory attendance law which limited possibility of home education. Michael A. Fuerst, New Hampshire Legal Assistance, 20 Tremont Square, Claremont 03743, 603-542-8795.

NEW JERSEY

[O1] Armstrong v. Bernardsville Bd. of Ed. Superior Ct. Somerset Co. May 1981. A girl contests denial of admission into the National Honor Society and sues to force the schools to provide reasons for the denial including school's student records. Richard Schachter; Schachter, Wohl, Cohn & Trombadore, 45 E. High Street, Somerville 08876, 201-722-5700.

[E4] Berrios v. Bd. of Ed. of the Vocational School in Camden Co. U.S. Dist. Ct. Oct. 1980. Class action. Settled. Plaintiff charged discrimination against limited-English-speaking students in vocational school placement tests and admissions procedures, under Title IV and the Fourteenth Amendment. Kathryn A. Brock, Education Law Center, 155 Washington St., Newark 07102, 201-624-1815.

[O1] Bd. of Ed. Branchburg Twp. Somerset Co. v. Bd. of Ed. Borough of Somerville, Somerset Co. Superior Ct. Appellate Div. Decision Apr. 1980, D. 414 A.2d 259. Appeal from state board's decision denying the request of plaintiff to terminate established sending-receiving plan and to build its own high school. Wm. B. Rosenberg; Blumberg, Rosenberg, Mullen & Blumberg, 35 N. Bridge Street, Somerville 08876, 201-526-5400.

[O1] Bd. of Ed. v. Caffiero. Superior Ct. Middlesex Co. 1979. Decision 1979, D. Appellate Div. 1979. Decision 1979, P. Suit against parents for money damages for vandalism to schools by children, under a New Jersey statute. David B. Rubin, 101 Bayard Street, Box 311, New Brunswick 08903, 201-846-5500.

[D5 D8] R. E. v. North Brunswick Bd. of Ed. Superior Ct. Middlesex Co. Nov. 1980. Temporary injunction Nov. 1980. Decision Dec. 1980, D. Student contests suspension for possession of marijuana, claiming that the search of the student was without probable cause and that the principal had decided the suspension before a hearing was given. Nicholas J. Stroumtsos, 53 Paterson Street, New Brunswick 08901, 201-828-8700.

[D8 E2 P2] Evans v. Bd. of Ed. U.S. Dist. Ct. Apr. 1980. Class action. ELB 1006. 14 CHR 470. Charging lack of due process hearings on suspensions. Charging racial discrimination and lack of equal protection in disciplinary matters. Alleged failure to develop IEP. Joyce Miller, Camden Regional Legal Services, 98 N. Pearl Street, Bridgeton 08302, 609-451-0003.

[E5] In re Freida Crichfield Trust. Superior Ct. 1980. Decision Nov. 1980, P. Whether girls are eligible for a scholarship established under a private trust. This is a suit by the school to change the trust instrument's clause stating that only boys can receive the scholarship. Michael A. Guariglia; McCarter & English, 550 Broad Street, Newark 07102, 201-622-4444.

[D2] Haight v. Midland Park Bd. of Ed. U.S. Dist. Ct. May 1978. Decision July 1978, D. Student contests the policy of reducing grades for excessive absences. Robert Sokoldski, 405 Franklin Turnpike, Mahwah 07430.

[H1] Levine v. State Dept. of Institutions and Agencies. Superior Ct. Decision Mar. 1978, D. 387 A.2d 399. Appellate Div. 1978. Decision July 1978, D. 390 A.2d 699. New Jersey Supreme Ct. 1978. Decision June 1980, D. 418 A.2d 229. Sp. Ed. Whether the free education clause of the New Jersey constitution means that financially able parents are to be relieved of the costs associated with total residential care. David L. Rutherford; Michael J. Mella, P.A., 20-01 Maple Avenue, Fair Lawn 07410, 201-794-0022.

[F1] Lipp v. Morris. U.S. Dist. Ct. June 1977. Decision Oct. 1977, P. CCA 3 1977. Decision Aug. 1978, P. Whether requirement of state statute that persons stand at attention to show respect to the flag while the pledge is given is unconstitutional. Student plaintiff was threatened with discipline for remaining seated. Constance Hepburn, address unknown.

[F5] Mazzeo v. Clifton Bd. of Ed. Superior Ct. Passaic Co. Nov. 1980. Temporary injunction Nov. 1980, then settled. Suit to permit a boy into school without taking the tuberculosis test required of all students; the parents claim that the child would have epileptic seizures if given the test. Mark Geschwer, 442 Main Street, Fort Lee 07024, 201-461-7445.

[D5] Owens v. Piscataway Bd. of Ed. Superior Ct. Middlesex Co. Mar. 1980. Decision Mar. 1980, P. Student contests suspension for possession of marijuana, claiming that it was found in a search conducted without probable cause. Fredrick A. Simon; Rosenberg & Simon, 1254 Rt. 27, North Brunswick 08902, 201-846-6300.

[F1] Pickens v. Atkinson. U.S. Dist. Ct. Feb. 1977. Decision Aug. 1977, M. Student editors sued for injunction against high school principal who had forbidden distribution of school paper and suspended the editors. William F. Harrison, 70 Alexander Ave., Upper Montclair 07043, 609-894-9542.

[E1] Piscataway Twp. Bd. of Ed. v. Burke. Superior Ct. Middlesex Co. July 1977. Appellate Div. decision Apr. 1978, D. 386 A.2d 439. Contesting the state education commission's directive requiring school boards to submit desegregation plans. David B. Rubin, 101 Bayard Street, Box 311, New Brunswick 08903, 201-846-5500.

[D8] Reid v. Bd. of Ed. Twp. of Hamilton. Superior Ct. Appellate Div. Oct. 1979. Decision Nov. 1980, affirmed ruling. The school board appealed a ruling by the state Commissioner of Education that it must grant a de novo review of a student suspension. Henry. F. Gill, 3131 Princeton Pike, Trenton 08648, 609-896-2414.

[O1] Rucker v. Bd. of Ed. of Kinnelon High School. Superior Ct. Dec. 1980. A student sues school officials for damages for unlawfully selecting another student (a son of a member of the board of education) as valedictorian. Pro se.

[H1] Spiro v. Bd. of Ed. of Rockaway Twp. Superior Ct. Dec. 1977. Decision Dec. 1978, D. ELB 632. Sp. Ed. Action for damages for alleged failure to properly classify handicapped child and for failure to provide free and appropriate educational program in accordance with state statute. Also to reimburse parents for their cost in sending child to a school that Department of Education had ordered child be sent to. Nancy Heath, Education Law Center, 155 Washington St., Newark 07102, 609-455-8558.

[D8] Yanaki v. Neptune Bd. of Ed. Superior Ct. Monmouth Co. 1981. Decision 1981, D. Father contests his son's suspension, claiming lack of notice before the hearing. The court ruled that the plaintiff must first exhaust administrative remedies by appeal to the State Department of Education. Pro se.

NEW MEXICO

[D3 D9] Brannan v. Lordsburg School Bd. U.S. Dist. Ct. Jan 1981. Students contest temporary suspensions from all extracurricular activities, claiming lack of notice and no opportunity to answer charges. Peter A. Keys, Box 1803, Silver City 88061, 505-388-2521.

[H0 H6 P2] Duran v. Martinez. U.S. Dist. Ct. July 1979. Settled. Sp. Ed. Charging a school district and school officials with harsh physical discipline of handicapped children, denial of due process, failure to properly train supervisors and teachers, and a conspiracy to maintain a pattern of discrimination against the handicapped children. Stephen G. Farber, P.O. Box 2473, Sante Fe 87501, 505-988-9725.

[D1 D4] Groseclose v. Padilla. Dist. Ct. Chaves Co. June 1979. Action by student, against school principal, alleging threats and physical force. Principal suspended student for the rest of the year, which made student repeat classes the next semester. Student sought injunction, actual damages and pumitive damages. Principal counterclaimed. Albert T. Cochran, Jr., P.O. Box 776, Roswell 88201, 505-622-7663.

[E4] McTiegue v. Booky. U.S. Dist. Ct. July 1980. Alleged failure to provide bi-lingual education. Robert Strumor, P.O. Box 389, Santa Fe 87501, 505-988-9721.

[E2 H4] Schells v. Albuquerque Public School Dist. U.S. Dist. Ct. June 1979. 13 CHR 391. Sp. Ed. Whether there is a racial bias in the school's classification of children as mentally handicapped resulting in over-representation of minority children in special education classes. Also whether the school followed its own procedures and standards in evaluating plaintiff and thus misclassified him. Ellen Souberman; Legal Aid Society of Albuquerque, 505 Marquette N.W., Albuquerque 87102, 505-243-7871.

[D5 D8] Zamora v. Pomeroy. U.S. Dist. Ct. Aug. 1977. Decision July 1979, D. CCA 10 1979. Decision Jan. 1981, D. Due process on expulsion. Whether school authorities are in loco parentis in searching lockers. Transfer to inferior school as a denial of rights. Antonio V. Silva; Southern New Mexico Legal Services, 413 W. Griggs, Las Cruces 88001, 505-526-4451.

NEW YORK

[H3 P1] Curtis A. v. Bd. of Ed. City School Dist. New York City. Supreme Ct. Apr. 1977. Class action. Decision Apr. 1977, M. Preliminary injunction. Sp. Ed. Procedures concerning individual hearings for approximately 400 students being transferred by New York City Board of Education. Michael A. Rebell; Rebell and Krieger, 230 Park Avenue, New York 10169, 212-687-2233.

[H1] Martin A. v. Ambach. U.S. Dist. Ct. S.D. 1979. Decision Dec. 1980, P. CCA 2 1981. Sp. Ed. Handicapped child's right of pendency: does a handicapped child have the right to remain in his current private school educational placement, where he was placed by the State Education Department, when the state removes private school from approved list? Charles Davis, 20 Squadron Blvd., New City 10956, 914-638-1000.

[H3] Acosta v. Bd. of Ed. City School Dist. New York City. Supreme Ct. May 1978. Class action. Settled. Sp. Ed. Whether school district has the right to dismantle present programs of petitioner children and re-locate the students in the middle of the term. Michael A. Rebell; Rebell and Krieger, 230 Park Avenue, New York 10169, 212-687-2233.

[H3 P1] Ad Hoc Committee v. New York City Bd. of Ed. U.S. Dist. Ct. S.D. Jan. 1980. Class action. 14 CHR 53. Sp. Ed. Contesting, on 94-142 and due process grounds, the transfer of an occupational training service program from a training center to a public school. Paula Hepner, Advocates for Children of New York, 29-28 41st Ave., Long Island City 11101, 212-729-8866.

[H6] Andres v. Buffalo Bd. of Ed. U.S. Dist. Ct. W.D. June 1980. Class action. Sp. Ed. Whether trainable mentally retarded students are receiving an appropriate education. Bruce A. Goldstein, 800 Genesee Bldg., Buffalo 14202, 716-854-7525.

[H1] Appel v. Ambach. U.S. Dist. Ct. S.D. Sept. 1978. Sp. Ed. Whether the student needs to be placed in a residential setting. Michael Rebell; Rebell & Krieger, 230 Park Ave., New York 10169, 212-687-2233.

[P2] Apter v. E. Ramapo Central School Dist. Supreme Ct. Rockland Co. Oct. 1979. Settled. Sp. Ed. Whether a handicapped child can be suspended for acting out behavior related to the handicapping condition. Charles Davis; Dubbs, Leopold, Davis & Podwin, 20 Squadron Blvd., New City, 10956, 914-638-1000.

[H1 P1] B. v. Ambach. U.S. Dist. Ct. E.D. Nov. 1979. Settled. Sp. Ed. Suit for reimbursement for private placement; allegations that the Commissioner of Education did not act on plaintiff's petition within the required 60 days. Joel Lieberman, Community Action for Legal Services Inc., 186 Joralemon Street, Brooklyn 11201, 212-852-8888.

[B1] Baleno v. Maine-Endwell Central School Dist. Supreme Ct. Broome Co. Mar. 1981. Suit for damages and injunction to reinstate a girl, after repeated short-term suspension by the principal. Plaintiff claims that the school is circumventing the requirements for a hearing and that it is trying to force the girl into BOCES classes for the handicapped. Ronald R. Benjamin, Midtown Mall, Suite 402, 15 Chenango Street, Binghamton 13901, 607-772-1442.

[H1 H9] Bazil v. Ambach. Supreme Ct. Albany Co. June 1980. Decision July 1980, D. Sp. Ed. School board contested the state's approval of in-state services for an autistic child (paid for by the school) and withdrawal of approval of out-of-state school (paid for by the state) where the child had been. Albert D'Agostino, 75 South Central Ave., Valley Stream 11580, 516-872-0909.

[H1] Bevilacqua v. Bd. of Ed. of Niagara Falls Schools. U.S. Dist. Ct. W.D. July 1979. Sp. Ed. Contesting Board's refusal to place child in private facility and to pay tuition retroactively. Professor Gerald P. Seipp, Univ. of Buffalo School of Law, 507 John Lord O'Brien Hall, Buffalo 14260, 716-636-2167.

[D2] Blackman v. Kingston School Bd. Supreme Ct. 1978. Decision Sept. 1978, P. Student suspended and received a failing grade. Challenge to right of school to fail a child for cutting classes. Alan N. Sussman; Ricken, Goldman, Sussman & Blythe, 185 Fair Street, Kingston 12401, 914-339-3050.

[E1] Bd. of Ed. City School Dist. Newburgh v. Nyquist. Supreme Ct. decision D. Appellate Div. decision July 1979, D. 419 N.Y.S.2d 282. Whether Commissioner of Education (the defendant) can order pupil reassignment to mitigate de facto segregation. Whether the court can rely on the psychological, sociological and educational assumptions on which the plan was based. Joel S. Spector; Demov, Morris, Levin & Shein, 40 West 57th Street, New York 10019, 212-757-5050.

[E1] Bd. of Ed. Community School Dist. 29 Queens Co. v. Bd. of Ed. New York City School Dist. Supreme Ct. 1980. Decision 1980, P. 433 N.Y.S.2d 309. Plaintiff contended that the NYC Chancellor's decision to close a school was based entirely on the request of the U.S. Office of Civil Rights and was without an educationally sound justification. Lawrence W. Reich; Winick, Ginsberg, Ehrlich, Reich & Hoffman, 1415 Kellum Place, Garden City 11530, 516-741-5533.

[E1] Bd. of Ed. of Community School Dist. 29 Queens Co. v. Bd. of Ed. of City School Dist. of City of New York. Supreme Ct. Queens Co. 1980. Decision Aug. 1980, D. Appellate Div. decision 1981, D. Plaintiff contended that the NYC Chancellor's second decision to close a school was entirely based on the request of the U.S. Office of Civil Rights and was without an educationally sound justification. Lawrence W. Reich; Winick, Ginsberg, Ehrlich, Reich & Hoffman, 1415 Kellum Place, Garden City 11530, 516-741-5533.

[H9] Bd. of Ed. 3 Village School Dist. v. Hufstedler. U.S. Dist. Ct. E.D. Oct. 1980. Sp. Ed. School board sued the Department of Health & Human Services for funds to provide special services for a handicapped child claiming that the Department ordered these services without supplying funds. Kevin Seaman; Pelletreau & Pelletreau, Box 110-20 Church St., Patchogue 11772, 516-475-5656.

[D8] Boe v. New York City Bd. of Ed. U.S. Dist. Ct. S.D. Class action. May 1980. Preliminary injunction May 1980. 14 CHR 471. Suspended students allege due process violations by the board in failing to afford timely hearings and adequate notice of allegations, and allege bias by the hearing officer. Frances Pantaleo, Advocates for Children of New York, 29-28 41st Ave., Long Island City 11101, 212-729-8866.

[H6] Bonar v. Ambach. U.S. Dist. Ct. W.D. May 1980. Class action. Sp. Ed. Lack of a Board of Cooperative Educational Services (a cooperative agency among school districts) to provide services for handicapped children. Bruce Goldstein, 800 Genesee Bldg., Buffalo 14202, 716-854-7525.

[R3] Brandon v. Bd. of Ed. Guilderland Central School Dist. U.S. Dist. Ct. N.D. June 1979. Decision Apr. 1980, D. CCA 2 May 1980. Decision Nov. 1980, D. 487 F. Supp 1219. Whether a school can deny a student's request to use, immediately before the school day commenced, a classroom for prayer meetings. Damages requested. Robert Destro, Catholic League for Religious & Civil Rights, 1100 West Wells St., Milwaukee, Wisconsin 53233, 414-289-0170.

[D8] Brumfield v. Bd. of Ed. of Rochester City School Dist. Supreme Ct. Monroe Co. Dec. 1979. Class action denied. Whether the school district can hold suspended students in "Tutoring Center" for 2-6 weeks before their long-term suspension hearings are held (claimed violation of N.Y. suspension and disciplinary transfer law and 14th Amendment). Whether the school's short-term suspension procedure violates due process. Hanna S. Cohn, Monroe County Legal Assist. Corp., 80 W. Main St., Rochester 14614, 716-325-2520, and Elizabeth L. Schneider, Greater Upstate Law Project, 80 W. Main St., Rochester 14614, 716-454-6500.

[S2] Burtt v. Nassau Co. Ath. Ass'n. Supreme Ct. Nassau Co. Oct. 1979. Decision Oct. 1979, D. 421 N.Y.S. 2d 172. No athletic season because of teacher strike; student repeated 12th grade in following year, but Association ruled him ineligible because of 4 year rule. Allan Azzara, 210 Old Country Rd., Mineola 11501, 516-741-3560.

[H6] Bushey v. City of Buffalo Bd. of Ed. U.S. Dist. Ct. W.D. 1981. Class action. Sp. Ed. Complaints of an excessive waiting list of handicapped children in Buffalo. Bruce A. Goldstein; Serotte, Harasym & Reich, One Genesee Street, Suite 800, Buffalo 14202, 716-854-7525.

[D4] James C. v. Scutt. Supreme Ct. Allegany Co. Feb. 1980. Decision D. Whether the school district's corporal punishment policy violates the due process clause of the New York Constitution. Whether the school board has statutory authority to authorize use of corporal punishment. Seth Haben, Southern Tier Legal Services, 56 Liberty St., Bath 14810, 607-776-4126, and Elizabeth Schneider, 80 W. Main St., Rochester 14614, 716-454-6500.

[H8] Mitchell C. v. Bd. of Ed. of City School Dist. of City of New York. Supreme Ct. Appellate Div. decision Jan. 1978, D. 400 N.Y.S. 2d 571. Supreme Ct. Appellate Div. decision Apr. 1979, D. 414 N.Y.S. 2d 923. Sp. Ed. Whether school district could change the bus schedule for handicapped children going to private schools. Dennis C. Krieger; Rebell & Krieger, 23 Park Ave., New York 10169, 212-687-2233.

[D8] Carey v. Savino. Supreme Ct. Allegany Co. 1977. Decision July 1977, P. Contesting expulsion for truancy, alleging that one day's notice of the hearing is inadequate and that the notice was incomplete. Paul M. Ryther, Southern Tier Legal Services Inc., 56 Liberty Street, Bath 14810, 607-776-4126.

[S2] Caso v. New York State Public High School Ath. Ass'n. Supreme Ct. 1980. Decision 1980, D. Appellate Div. decision 1980, D. 78 App. Div. 2d 41. Student contests defendant's ruling of ineligibility for competing in a non-school gymnastics meet. Dennis O'Hara; O'Hara & O'Hara, 1020 Seventh North Street, Liverpool 13088, 315-451-3810.

[D8] Cervantes v. Salmon River School Dist. Supreme Ct. Oct. 1978. Decision Jan. 1979, P. Suspension without due process. Jerry C. Leek, North Country Legal Services, 80 E. Main St., Canton 13617, 315-386-4586.

[E4] Cintron v. Brentwood Union Free School Dist. U.S. Dist. Ct. E.D. 1977. Class action. Decision Jan. 1978, P. 455 F. Supp. 57. Suit to improve the school's bilingual education program. Robert Hermann, Puerto Rican Legal Defense & Education Fund, 95 Madison Avenue, New York 10016, 212-488-3323.

[H1] Committee on the Handicapped v. Ambach. Supreme Ct. Nov. 1980. Appellate Div. Jan. 1981. Sp. Ed. Contesting the Commissioner of Education's change of classification of a handicapped student who was attending a private institution at state expense. Hyman Herman; Abrams & Herman, 163 Half Hollow Rd., Deer Park 11729, 516-667-6330.

[H3 P1] Concerned Parents and Citizens for Continuing Ed. at Malcolm X v. New York City Bd. of Ed. U.S. Dist. Ct. S.D. Nov. 1979. Class action. Decision Mar. 1980, P. EHLR 551:535, 14 CHR 166, 767. CCA 2 1980. Decision July 1980, D. Sp. Ed. Whether 94-142 notice and hearing are necessary when handicapped students are transferred upon the closing of their school; i.e., whether there was a change in "educational placement." James Francis, Legal Aid Society, 11 Park Pl., New York 10007, 212-227-2755.

[D8] Cooper v. DiSare. Supreme Ct. Orange Co. 1977. Decision Aug. 1977, P. ELB 735. Due process challenge to suspension's, claiming failure to provide an adequate record of hearing. Laura Zeisel, Mid-Hudson Legal Services, Inc., P.O. Box 590, Newburgh 12550, 914-561-7040.

[B2] Corliss v. Solomon. Supreme Ct. 1979. Class action. Decision Aug. 1979, P. Appellate Div. 1980. Decision May 1980, D. 427 N.Y.S.2d 868. Challenge to the closing of school for budgetary reasons. Whether board's decision was arbitrary or capricious. Stephen M. Saland, 309 Mill Street, Poughkeepsie 12601, 914-452-2420.

[R1] Curtin v. Christner. U.S. Dist. Ct. W.D. Oct. 1980. Whether the exemption in New York statutes from immunization, on religious grounds, should be extended to atheists and conscientious objectors. David G. Jay; Jay, Klaif & Morrison, 1032 Elliott Sq., Buffalo 14203, 716-856-6300.

[H1 P1] Davis v. Maine-Endwell Central School Dist. U.S. Dist. Ct. N.D. Mar. 1980. Decision May 1980, D. CCA 2 1980. Decision Dec. 1980, D. Petition for certiorari to U.S. Supreme Ct. Mar. 1981. Sp. Ed. Parents contest classification of child and wish the child placed in a residential facility. The court ruled that administrative remedies must be exhausted. Damages sought. Ronald F. Benjamin, Suite 402, Midtown Mall, 15 Chenango St., Binghamton 13901, 607-772-1442.

[H1] Dept. of Social Services v. Ryder. Family Ct. 1979. Decision Mar. 1980, D. 425 N.Y.S. 2d 944. Sp. Ed. Whether handicapped child placed in foster care on recommendation of the School District Committee was placed by plaintiff, in which case parents should contribute. Gary L. Lipton, 14 Milford Lane, Suffern 10901, 914-357-8587.

[H1] Dima v. Macchiarola. U.S. Dist. Ct. E.D. Oct. 1980. Decision Dec. 1980, D. Sp. Ed. Parents charge that the state violated 94-142 by cancelling the contract with the private school attended by child. Peter Brown; Brown & Raysman, 36 W. 44th St., New York City, 10036, 212-944-1515.

[E3] Doe v. Bd. of Ed. Long Beach City School Dist. Supreme Ct. Nassau Co. Nov. 1977. Class Action. Consent decree 1978. ELB 671. Whether children of aliens who have not registered with the U.S. Immigration and Naturalization Service should be permitted to attend public schools. Whether children of aliens who have so registered should be charged tuition as non-residents. Carl J. Nathanson, Nassau Co. Law Service, 91 N. Franklin St., Hempstead 11550, 516-292-8100.

[A2] Donohue v. Copiague Union Free School Dist. Supreme Ct. Suffolk Co. 1977. Decision, D. 408 N.Y.S.2d 584; Appellate Div. 1978. Decision July 1978, D. 407 N.Y.S.2d 874. Ct. of Appeals. Decision June 1979, D. 391 N.E.2d 1352. Whether student can maintain a cause of action to collect damages for being graduated from high school with poor comprehension and understanding of written English--"educational malpractice." Sidney R. Siben; Siben & Siben, 90 E. Maine St., Bay Shore 11706, 516-665-3400.

[H1] Dubner v. Ambach. Supreme Ct. Albany Co. Nov. 1978. Decision May 1979, P. Appellate Div. decision Mar. 1980, M. 426 N.Y.S.2d 164. Ct. of Appeals decision Feb. 1981, M. Sp. Ed. Parents request reimbursement for cost of placement in an out-of-state public school, and for continued placement in the school, after the state refused to certify the school. Charles Davis; Dubbs, Leopold, Davis & DePodwin, 20 Squadron Blvd., New City 10956, 914-638-1000.

[H0 E4] Dyrcia v. New York City Bd. of Ed. U.S. Dist. Ct. E.D. Oct. 1979. Class action. Sp. Ed. Need for special education for handicapped-bilingual children. (Consolidated with Jose P. v. Ambach) Lizette Cantres, Puerto Rican Legal Defense and Education Fund, 95 Madison Ave., New York 10017, 212-532-8470.

[H1] E. v. Ambach. U.S. Dist. Ct. 1979. Settled. Sp. Ed. Orthodox Jewish child was being taunted in a New York school for the handicapped. Parents alleged that the child should be placed in a private school in order to obtain proper education. Joel Lieberman, Community Action for Legal Services Inc, 186 Joralemon Street, Brooklyn 11201, 212-852-8888.

[H1] F. v. Ambach. Supreme Ct. Albany Co. 1979. Moot. Sp. Ed. Challenge to state agency decision that student did not need special placement. Edward Carr, Jr., Legal Aid Society, 189 Montague St., Brooklyn 11201, 212-858-1300.

[H1] June F. v. Ambach. Supreme Ct. June 1980. Sp. Ed. Reimbursement of expenses for education of handicapped student at out-of-state residential program not on Commissioner's approved list. Arthur R. Block; Rebell and Krieger, 230 Park Avenue, New York 10169, 212-687-2233.

[R2] Farrell v. Ambach. Supreme Ct. Albany Co. Aug. 1979. Decision Nov. 1979, D. Whether the school system must provide transportation (instead of reimbursing transportation costs) to religious nonpublic schools on days when public schools are closed. Kevin M. Kearney; Hurley, Kearney & Lane, 32 Court St., Brooklyn 11201, 212-852-5900.

[H5] In re: Feinerman. Family Ct. Feb. 1977. Decision Sept. 1977, P. Sp. Ed. Appeal by school district filed, then withdrawn. Whether school district could require parents of preschool aged handicapped children to pay the costs of programs in whole or in part. Michael A. Rebell; Rebell and Krieger, 230 Park Avenue, New York 10169, 212-687-2233.

[A3] Fiacco v. Santee. Supreme Ct. May 1978. Decision June 1978, P. Appellate Div. decision Oct. 1979, D. 421 N.Y.S. 2d 431. Whether a private school student is entitled to an early graduation when he has earned sufficient credits for graduation. Paul F. Wolfe, Assistant Attorney General, Capitol Bldg., Albany 12224, 518-473-3290.

[B2] Fichman v. Ambach. Supreme Ct. Nassau Co. June 1979. Decision July 1979, D. Suit by parents contesting the closing of a school, claiming that the school board had an inadequate long range plan. Robert B. Taylor; Revengo & Taylor, 118-21 Queens Blvd., Forest Hills 11375, 212-261-4141.

[E6] Forte v. Bd. of Ed. North Babylon Union Free School Dist. Supreme Ct. Suffolk Co. Apr. 1980. Decision Aug. 1980, D. 431 N.Y.S. 2d 321. Male student wishes to participate on a female volleyball team (sex discrimination). Roger G. Nellist, Box 44, Hauppauge 11787, 516-724-3521.

[H1 H0] Frankel v. Commissioner of Ed. U.S Dist. Ct. S.D. May 1978. Decision Nov. 1979, P. 480 F. Supp. 1156. Sp. Ed. Reimbursement for education expense. Should 94-142 be applied retroactively to a claim which arose before the act took effect? Joseph G. Blum; Blum, Haimoff, Gersen, Lipson, Slavin & Gerley, 270 Madison Ave., New York 10016, 212-683-6383, and Ronald Kremnitzer; Schulte, Roth & Zabel, 460 Park Ave., New York 10022, 212-758-0404.

[F1] Frasca v. Andrews. U.S. Dist. Ct. E.D. Aug. 1978. Decision Jan. 1979, D. 463 F. Supp. 1043. Whether the school principal acted beyond his authority by preventing distribution of a school paper that he felt was obscene and libelous. Alan J. Azzara, Youth Advocacy Project, 210 Old Country Rd., Mineola 11501, 516-741-3560.

[H8] Friedman v. Great Neck Bd. of Ed. Supreme Ct. Nassau Co. Sept. 1979. Decision Oct. 1979, D. Sp. Ed. The school district is paying for boy to go to a private school, and parents request special transportation claiming that transportation on the regular school bus is unsafe because other children attacked the child because of handicap. Gilbert Henoch; Dalton, Henoch & Kadin, 50 Clinton St., Hempstead 11550, 516-486-6600.

[H9] Frietsch v. Ambach. Supreme Ct. Albany Co. Jan. 1979. Decision June 1979, P. Appellate Div. Feb. 1980. Decision Oct. 1980, P. Leave to appeal denied 1981. Sp. Ed. Whether New York City or the state must pay for summer educational programs for the blind handicapped. Richard M. Cohlan; Rabinowitz & Bianchi, White Plains 10601, 914-949-2826.

[H9] Matter of Frank G. Family Ct. 1978. Decision Mar. 1979, P. 414 N.Y.S. 2d 851. Sp. Ed. Whether the city (or state) must pay cost for summer program for the handicapped. Richard M. Cohlan; Rabinowitz & Bianchi, White Plains 10601, 914-949-2826.

[H6 H4 P1] J.G. v. Bd. of Ed. Rochester City School Dist. U.S. Dist. Ct. W.D. Mar. 1981. Class action. Sp. Ed. Wide ranging charge that the city is not in compliance with federal and state statutes in regard to education of the handicapped including failure to provide special education, delay in classification, delay in placement, failure to notify parents of their rights, failure to develop IEPs and failure to include parents in developing IEPs. Also failure on the part of the state to monitor local boards of education. Damages sought. Betsey B. Swan, Monroe County Legal Assistance, 80 West Main St., Rochester 14614, 716-325-2520.

[H1] In re Gano. Family Ct. Decision Sept. 1980, D. Sp. Ed. Whether parent of handicapped child must reimburse Department of Social Services for expense of child's residential placement. Carl F. Becker, Department of Social Services, Delaware County, Delhi 13753, 607-746-2325.

[D4 D5 D6] Gentner v. East Greenbush Central School Dist. Supreme Ct. Rensselaer Co. Nov. 1978. Decision Dec. 1978, M. Whether search of student's purse without consent was permissible as part of a general search of students' belongings. Whether record of unlawfully carrying cigarettes, found in the search, should be expunged. Whether the school can administer reasonable corporal punishment. Robert Iseman, 90 State St., Albany 12207, 518-462-5301.

[H2] Golden v. Lakeland Central Schools. Supreme Ct. Westchester Co. Aug. 1980. Decision Oct. 1980, P. Sp. Ed. Student contests being barred from sports due to his physical condition. Peter P. M. Bardunias, 199 Main St., White Plains 10601, 914-949-0109.

[H3] H. v. Ambach. Supreme Ct. Albany Co. Feb. 1980. Sp. Ed. Challenge to proposed transfer of handicapped student to a new facility without evaluating whether the new facility will be appropriate. Bruce K. Carpenter; Woodin & Carpenter, 500 Wellman Bldg., Jamestown 14701, 716-487-1813.

[H6 P1] Hastings v. Maine-Endwell Central School Dist. Supreme Ct. Broome Co. Jan. 1980. Decision Mar. 1980, D. Sp. Ed. Whether the child's remedial program is adequate. Lost in state court because plaintiff did not exhaust administrative remedies. See same title infra. Ronald R. Benjamin, Suite 402, Midtown Mall, 15 Chenango St., Binghamton 13901, 607-772-1442.

[H6] Hastings v. Maine-Endwell Central School Dist. U.S. Dist. Ct. N.D. Nov. 1980. Sp. Ed. Suit for damages for failure to provide adequate program after Commission ruling in favor of plaintiff. Ronald R. Benjamin, Suite 402, Midtown Mall, 15 Chenango St., Binghamton 13901, 607-772-1442.

[A2] Helm v. Professional Children's School. Civil Ct. N.Y.C. Decision Mar. 1979, D. Supreme Ct. decision May 1980, D. 431 N.Y.S. 2d 246. Whether a suit for educational malpractice lies against a private educational institution. Robert S. Markfield; Markfield & Mirsky, 2 Washington Square, New York, 212-371-4491.

[D1] Jackson v. Middletown School Bd. Mar. 1981. Damage action for denial of right to a free public education; the student was expelled for allegedly assaulting a teacher. Barry B. Silver, 807 Broadway, Newburgh 12550, 914-562-9020.

[H1 H7] Matter of Jones. Family Ct. Queens. Decision Feb. 1979, P. 414 N.Y.S. 2d 258. Sp. Ed. Whether the city is responsible for paying for maintenance of handicapped child in residential placement during the summer months. Must the parents contribute? Joseph Shuter, Legal Aid Society, 9004 161st St., Jamaica 11432, 212-526-6400.

[S2] Kampmeier v. Harris. Supreme Ct. Monroe Co. 1977. Decision Feb. 1978, P. Appellate Div. 1978. Decision Dec. 1978, M. 403 N.Y.S. 2d 638, 411 N.Y.S. 2d 744. A student contested a school's refusal to permit him to play contact sports because he has lost one eye. (Plaintiff took the case originally to the federal courts and lost.) Edward H. Fox; Harris, Beach, Wilcox, Rubin & Levey, 2 State Street, Rochester 14614, 716-232-4440.

[S2] Kaufman v. New York State Public High School Ath. Ass'n. Supreme Ct. Nassau Co. 1978. Decision 1978, P. Student contests ineligibility because of swimming in a non-school meet. Attorney unknown.

[F4] Matter of Kryston. Supreme Ct. Rockland Co. Mar. 1979. Decision Dec. 1979, M. Appellate Div. decision Aug. 1980, M. Whether standardized reading and mathematics test scores of third grade students should be released and if so, how to protect students from being identified as to their scores in accordance with the Buckley Amendment. Carl L. Wanderman (attorney for defendant); Greenberg & Wanderman, 35 N. Madison Ave., Spring Valley 10977, 914-356-3334.

[D1] King v. Farmer. Supreme Ct. Westchester Co. Oct. 1979. Decision Dec. 1979, P. 424 N.Y.S. 2d 86. Whether school principal can expel a 16 year old habitually truant student. Jerrold M. Levy, Westchester Legal Services, Inc., 171 East Post Road, White Plains 10601, 914-949-6011.

[H2] Koziatek v. Ambach. Supreme Ct. 1979. Decision 1979, D. Sp. Ed. Parents contested classification of the child since the classification required attendance at special classes. Fred P. Bennett; Donatelli & Bennett, 33 Gerard St., Hunting 11743, 516-549-5600.

[H6] L. v. Ambach. Supreme Ct. Albany Co. 1978. Settled 1979. Sp. Ed. Whether handicapped child should be kept in regular classes, with a resource room, or be given one-on-one individual education. Arnold Becker, 24 S. Main St., New City 10956, 914-634-4434.

[H1] Lafko v. Wappingers Central School Dist. Supreme Ct. Duchess Co. Dec. 1978. Decision Mar. 1979, P. Appellate Div. decision May 1980, D. 427 N.Y.S. 2d 529. Sp. Ed. Whether the state must finance child's education in a private school not approved by the state for education of handicapped children. The school provided needed care and nearness to hospital for emergency treatment, but state refused to pay because plaintiff was placed in a nonapproved school. Thomas D. Mahar, 322 Mill St., Poughkeepsie 12601, 914-473-9330.

[H1] Lombardi v. Nyquist. Supreme Ct. Albany Co. 1977. Decision Sept. 1977, D. Appellate Div. 1977. Decision June 1978, D. 406 N.Y.S. 2d 148. Sp. Ed. Plaintiff contests the commissioner's refusal to approve a private school (which prevented the plaintiffs' handicapped child from attending) on grounds that school was not on approved list even though state had no schools with an approved program. Murray B. Schneps, 299 Broadway, New York 10007, 212-267-0760.

[H1] Lombardi v. Nyquist. U.S. Dist. Ct. June 1979. Sp. Ed. Plaintiff contests the commissioner's refusal to approve a private school (which prevented the plaintiffs' handicapped child from attending) on grounds that school was not on approved list even though state had no schools with an approved program. Murray B. Schneps, 299 Broadway, New York 10007, 212-267-0760.

[S2] Long Island Junior Soccer League. v. N.Y. State Public High School Ath. Ass'n. Supreme Ct. Aug. 1978. Settled to allow district to try a 3-year experiment allowing dual league participation. Whether rule prohibiting school athletes from playing school sports while also playing in an organized non-school sponsored league is arbitrary and capricious. Richard B. Kelly; Fisher, Kelly, Wassner & Fallon, 770 Lexington Avenue, New York 10021, 212-593-1400.

[B3] Lucchese v. Kingston School Bd. Supreme Ct. Ulster Co. Nov. 1980. Suit for transportation to school; the school permitted transfer of the child from one elementary school to another, but refused to provide transportation to the new school. Alan N. Sussman; Ricken, Goldman, Sussman & Blythe, 185 Fair Street, Kingston 12401, 914-339-3050.

[H4] M. v. Ambach. Supreme Ct. Albany Co. 1978. Decision July 1978, D. Sp. Ed. Whether handicapped child was properly classified. August J. Ginocchio, 83 Fire Island Ave., Babylon 11702, 516-669-6161.

[H1] Matter of Charles M. Family Ct. New York City Jan. 1979. Decision Sept. 1979, P. 420 N.Y.S. 2d 173. Sp. Ed. Whether the defense of laches (2 years) is valid against a claim for reimbursement for educational expenses of a handicapped child. Whether the parent must contribute and whether the city is entitled to a hearing on the ability of the parent to contribute. Jay Shusterhoff, 175 5th Avenue, New York 10022, 212-982-1140.

[D5] M.M. v. Anker. U.S. Dist. Ct. E.D. Mar. 1978. Decision Feb. 1979, P. 477 F.Supp. 837. CCA 2 Oct. 1979. Decision Oct. 1979, P. 607 F.2d 588. Whether a strip search upon student suspected of stealing violates the Fourth Amendment. Richard Emery, ACLU, 84 5th Ave, Suite 300, New York 10011, 212-924-7800.

[F1] Mareno v. Walker. U.S. Dist. Ct. S.D. decision Nov. 1979, D. Plaintiff contests, on First Amendment grounds, his suspension from school for swearing at a teacher. Attorney not identified.

[D1 D8] Mohr v. Bd. of Ed. of Salamanca Central School Dist. U.S. Dist. Ct. W.D. 1977. Class action. Moot. 10 CHR 901. Whether school policy of imposing short term suspensions without notice or hearing is constitutional. Whether N.Y. Ed. Law §3214(3)(b) is unconstitutional in providing for 5 day suspensions without notice or hearing. Whether consecutive short term suspensions for one offense is permitted by law. Gerald A. McIntyre, Monroe County Legal Assist. Corp., 107 1/2 Times Square, Olean 14760, 607-776-4126.

[H6] Mozer v. Ambach. Supreme Ct. Jan. 1979. Dismissed. Sp. Ed. Whether the school system is providing a proper program for this child. Carolyn V. Rider, 42 E. Market St., Red Hook 12571, 914-758-5158.

[R2] National Coalition for Public Ed. and Religious Liberty v. Harris. U.S. Dist. Ct. Decision Apr. 1980, D. 446 F. Supp. 193 and 489 F. Supp. 1248. Whether the allocation and use of the Title I funds for remedial education of parochial school students, by public school teachers, at parochial schools during school hours violates the establishment clause of the First Amendment. Leo Pfeffer, 15 E. 84th Street, New York 10028, 212-879-4500.

[H6] Newton v. Niagara Falls Schools. U.S. Dist. Ct. W.D. Mar. 1980. Sp. Ed. Parents charged that their 14 year old should have individual remedial reading and was not placed properly. Joseph L. Gerken, Neighborhood Legal Services, 495 Ellicott Sq. Bldg., Buffalo 14203, 716-847-0650.

[H4 H6] New York City United Cerebral Palsy Ass'n. v. New York City School Dist. Bd. of Ed. U.S. Dist. Ct. E.D. Mar. 1979. Class action. (Consolidated with Jose P. v. Ambach.) 14 CHR 365. ELB 941. Sp. Ed. Suit to compel defendant to identify, promptly evaluate and place handicapped students in appropriate programs, to provide suitable programs and related services, to consult with parent about carrying out its reponsibilities. Michael A. Rebell, Esq.; Rebell & Krieger, 230 Park Ave., New York 10169, 212-687-2233.

[H2] New York State Ass'n. for Retarded Children v. Carey. U.S. Dist. Ct. E.D. Sept. 1978. Decision Sept. 1978, P. 466 F. Supp 479. And Feb. 1979, P. 466 F. Supp 487. CCA 2 1978. Decision Dec. 1979, P. 612 F. 2d 644. Whether Board of Education can unilaterally segregate retarded students who are carriers of hepatitis B, while not segregating normal students. Taylor R. Briggs; LeBoeuf, Lamb, Leiby & MacRae, 140 Broadway, New York 10005, 212-269-1100.

[H6] Noe v. Ambach. U.S. Dist. Ct. S.D. Sept. 1980. Class action. 14 CHR 1108. Sp. Ed. Suit to require psychotherapy as a related service by the school district and the state. Paula Galowitz, Wash. Sq., 80 5th Ave., New York 10011, 212-924-3200.

[H0 A1] Bd. of Ed. Northport-East Northport School Dist. v. Ambach. Supreme Ct. Albany Co. 1979. Decision Jan. 1981, P. EHLR 552:282. Sp. Ed.

The school contested the State Department of Education's refusal to allow it to award diplomas to handicapped children who did not pass the state's basic competency test. The court held there was not sufficient notice of the tests to the children. John H. Gross; Ingerman, Smith, Greenberg & Gross, 167 Main Street, Northport 11768, 516-261-8834.

[H9] Matter of Dwella P. Family Ct. Bronx Aug. 1978. Decision Mar. 1979, P. 14 N.Y.S. 2d 878. Sp. Ed. Suit concerning whether the city (or state) must pay cost for summer program for the blind. Richard M. Cohlan; Rabinowitz & Bianchi, White Plains 10601, 914-949-2826.

[H3 H6] Jose P. v. Ambach. U.S. Dist. Ct. E.D. Feb. 1979. Class action. Decision May 1979, P. Appellate Div. 1979. ELB 861, 866. 12 CHR 838, 13 CHR 307, 892, EHLR 551:245. Sp. Ed. Whether there is undue delay in the evaluation and placement of handicapped children in appropriate programs. Also procedural and other substantive issues. John C. Gray Jr., Brooklyn Legal Services Corp B, 105 Court St., Brooklyn 11201, 212-855-8003.

[H2] Paden v. Ambach. Supreme Ct. Jan. 1979. Decision July 1979, P. Sp. Ed. Contesting the procedures in the evaluation of a child as mentally handicapped. Parents wanted her to remain in a regular classroom. John M. Bigle, 91 A. Franklin St., Suite 201, Hempstead 11550, 516-481-1220.

[B3] Perlmutter v. Ambach. Supreme Ct. Albany Co. July 1980. Decision Aug. 1980, D. Father wanted bus to pick up daughter at doorstep, rather than at an established bus stop. Pro se. Defense attorney is Donald Meserve, State Dept. of Ed., University of the State of New York, Albany 12234, 518-872-0909.

[F2] Pico v. Bd. of Ed., Island Trees Union Free School Dist. Supreme Ct. Jan. 1977. Removed to U.S. Dist. Ct. E.D. Jan. 1977. Decision Aug. 1979, D. 474 F. Supp. 387. CCA 2 1980. Decision Oct. 1980, P. 638 F.2d 404. Plaintiff-students contested on First Amendment grounds the School Board's removal of books from the school library and curriculum. Alan H. Levine, NYCLU, 84 Fifth Ave., New York 10011, 212-475-3232.

[H9] Pilato v. New York State Dept. of Ed. Supreme Ct. Monroe Co. 1977. Decision Oct. 1977, D. Appellate Div. 1977. Decision June 1978, D. 406 N.Y.S. 2d 562. Sp. Ed. The county requests reimbursement for costs of educating handicapped children in a private school. John D. Doyle, 307 County Office Building, Rochester 14614, 716-428-5280.

[B4] Quinn v. Bd. of Ed. of Whitesboro Central School Dist. Supreme Ct. Oneida Co. June 1977. Class action. Decision 1978, P. ELB 599. Whether the school's policy of charging compulsory fees for supplies, because of an austerity budget, violates the New York State constitution and the U.S. Constitution. Robert B. Salzman, Legal Aid Society of Oneida County, Inc., 185 Genesee St., 14th Floor, Utica 13501, 315-732-2131.

[H9] Quogue Union School Dist. No. 3 v. Suffolk Co. Supreme Ct. Jan. 1978. Decision Jan. 1980, P. 424 N.Y.S. 2d 261. Appellate Div. Nov. 1978. Sp. Ed. Whether the responsibility of the county to pay for special education of a child placed in a foster home by the county ceased on Jan. 1, 1974 with a change in the law. Suit by school district for reimbursement. Robert C. Crimmins; Smith, Finkelstein, Lundberg, Crimmins & Yakaboski, 456 Griffing Ave., Riverhead 11901, 516-727-4100.

[H1 H4 P1] Riley v. Ambach. U.S. Dist. Ct. E.D. Oct. 1979. Class action (denied certification). Decision June 1980, P. CCA 2 Dec. 1980. Decision May 1981, D. Sp. Ed. Challenge to Commissioners regulation that learning-disabled children with less than 50% discrepancy cannot be classified as handicapped and that schools serving learning-disabled children be removed from list of schools approved for handicapped children. The court ruled that the plaintiff must exhaust administrative remedies. Susan E. O'Grady, 23 Green St., Huntington 11743, 516-549-4546.

[S2] Robin v. New York State Public High School Ath. Ass'n. Supreme Ct. Westchester Co. Decision July 1979, D. Appellate Div. Sept. 1979. Decision Sept. 1979, P. 420 N.Y.S. 2d 394. Whether a student can be removed from a high school team because she practices with a college team, not knowing it was against the Association rules. Steven R. Shapiro, NYCLU, 84 5th Ave., New York 10011, 212-924-7800.

[H1] Robinson v. Ambach. U.S. Dist. Ct. S.D. 1979. Sp. Ed. Severely injured handicapped young man was not given help under provisions of 94-142 and began attending a private school not on the state approved list. Suit was brought to seek tuition. Paul Stavis, Commission on Quality of Care of the Mentally Disabled, 99 Washington Ave., Suite 730, Albany 12210, 518-473-4065.

[P2] Rodriguez v. Bd. of Ed. Cato-Meridian Central School Dist. U.S. Dist. Ct. N.D. Dec. 1980. TRO Dec. 1980. 14 CHR 1187. Sp. Ed. Whether a handicapped student can be suspended from school during the handicap evaluation process and without a prior determination that his behavior was not related to his handicap condition. John Michael Caster, Onandaga Neighborhood Legal Services, 33 Market St., Auburn 13021, 315-255-1761 and Elizabeth L. Schneider, Greater Upstate Law Project, 80 W. Main St., Rochester 14614, 716-454-6500.

[H0] Ross v. Allen. U.S. Dist. Ct. S.D. June 1980. Decision Dec. 1980, P. Sp. Ed. Charge of First Amendment, 94-142, and 504 violations because a private school psychologist was fired for complaining to New York City Board of Education about suspension of a student. Stephen Shapiro, NYCLU, 84 5th Ave., New York 10011, 212-924-7800.

[H6] Rowley v. Hendrick Bd. of Ed. of Hudson Central School Dist. U.S. Dist. Ct. S.D. Apr. 1979. Decision Jan. 1980, P. 483 F. Supp. 528. CCA 2 1980. Decision July 1980, P. 632 F.2d 945. Petition for certiorari. Sp. Ed. Whether deaf child must be supplied with a sign language interpreter. Whether "adequate" education is "appropriate" education for a handicapped child. Also procedural issues. Michael A. Chatoff, 270-31M Grand Central Parkway, Floral Park 11005, 212-428-4596.

[P1] Harvey S. v. Ambach. Supreme Ct. July 1979. Settled. Sp. Ed. Reimbursement of expenses for education of handicapped student at out-of-state residential program not on Commissioner's approved list. Arthur R. Block; Rebell and Krieger, 230 Park Avenue, New York 10169, 212-687-2233.

[S2] Scanlon v. New York State Public High School Ath. Ass'n. Supreme Ct. Nassau Co. 1980. Decision 1980, D. Student contests ineligibility for sports because of participating in non-school competition. Attorney unknown.

[H1] Schayer v. Ambach. Supreme Ct. Albany Co. 1979. Decision Jan. 1980, D. Sp. Ed. Parents sought tuition for child attending a non-approved school for the handicapped. Glickman & McAlevey, 120 N. Main St., New City 10011, 914-634-8884.

[E5] Shepperd v. Dept. of Environmental Conservation and Division of Budget of N.Y. State. Supreme Ct. Dec. 1980. Decision Feb. 1981, P. Appellate Div. 1981. Suit to allow girls to attend the state-run Rushford Environmental Education Camp for Boys (12 to 14). Karen DeCrow, 116 Benedict Avenue, Syracuse 13210, 315-478-4910.

[P2] Sherry v. New York State Ed. Dept. U.S. Dist. Ct. W.D. 1979. Decision Nov. 1979, P. 479 F. Supp. 1328. Sp. Ed. Whether a school for the blind can suspend, without notice and hearing procedures, a student who has inflicted wounds on herself. Whether the plaintiff must exhaust administrative remedies before entering court. Michael L. Hanley, Monroe County Legal Assistance Corp., 107 1/2 Times Square, Olean 14760, 607-776-4126.

[B1] Simms v. Roosevelt Union Free School Dist. Supreme Ct. Nassau Co. June 1979. Decision July 1979, M. 420 N.Y.S. 2d 96. Whether the school can refuse to accept a child who lives in the district with her grandmother, but not with a legal guardian. Richard J. Gabriele, Nassau Law Services Committee, 91 No. Franklin St., Hempstead 11550, 516-292-8100.

[H1] Sincoff v. Ambach. U.S. Dist. Ct. E.D. Sept. 1979. Preliminary injunction; then moot. Sp. Ed. Handicapped child's right of pendency: does a handicapped child have the right to remain in his current educational placement when the state removes the private school from the approved list and when child was placed at the school by state education department. Charles Davis, 20 Squadron Blvd., New City 10956, 914-638-1000.

[H5 H6] Smith v. Ambach. U.S. Dist. Ct. W.D. Dec. 1980. Sp. Ed. Whether a directive that no child over 5 years old could be enrolled in the language development program violated the rights of 6 and 7 year old handicapped children who had been determined to need the program by the local committee on the handicapped. Also seeking reimbursement for tuition and transportation costs. Gerald P. Seipp, SUNY at Buffalo, Law School, 504 John Lord O'Brian Hall, Buffalo 14260, 716-636-2167.

[D7] Smith v. Bd. of Ed. Central Islip Union Free School Dist. U.S. Dist. Ct. E.D. May 1978. Class action. Decision July 1978, D. ELB 670. Whether termination of home instruction of a suspended pupil when she reached 16, and was no longer of "compulsory attendance age," violated her rights to equal protection of the law. Carl J. Nathanson, Nassau County Law Service, 91 N. Franklin, Hempstead 11550, 516-292-8100.

[H6] Smith and Eiss v. Ambach. U.S. Dist. Ct. W.D. Dec. 1980. Sp. Ed. Contests termination of a program for handicapped. Gerald P. Seipp, Legal Assistance Program, SUNY at Buffalo, Law School, 504 John Lord O'Brian Hall, Buffalo 14260, 716-636-2167.

[H1] Stanger v. Ambach (also Behavior Research Institute Inc. v. Howard Miller). U.S. Dist. Ct. S.D. Feb. 1980. 501 F.Supp. 1237. Sp. Ed. Handicapped child's right of pendency: does a handicapped child have the right to remain in his current educational placement when the state removes the private school from the approved list. May the State Director of Budget disallow tuition rate of a private special education school based upon educational reasons without I.E.P. review process for child placed there by state. Charles Davis, 20 Squadron Blvd., New York 10956, 914-638-1000.

[S2] Swiderski v. Bd. of Ed. City School Dist. of Albany. Supreme Ct. Albany Co. 1978. Decision Sept. 1978, P. 408 N.Y.S. 2d 744. Whether a high school student with one eye may participate in high school sports. Neil D. Breslin; Garry, Cahill, Edmunds & Breslin, 600 Broadway, Albany 12207, 518-465-3391.

[S3] Task Force for Interscholastic Sports and Extracurricular Activities v. Whitesboro Bd. of Ed. Supreme Ct. 1981. Class action. Suit against the school and the State Commissioner of Education to require funds for sports and extracurricular activities. Dennis O'Hara; O'Hara & O'Hara, 1020 Seventh North Street, Liverpool 13088, 315-451-3810.

[F1] Thomas v. Bd. of Ed., Granville Central School Dist. U.S. Dist. Ct. N.D. Feb. 1979. Decision May 1979, D, denying preliminary injunction. 478 F. Supp. 114. CCA 2 1979. Decision Oct. 1979, P. 607 F. 2d 1043. Cert. denied U.S. Supreme Ct. Feb. 1980. Suit contesting the suspension of students for publishing a vulgar and immoral newspaper which was printed and distributed outside of school. Richard Emery, ACLU, 84 5th Ave., New York 10011, 212-924-7800.

[D2] Tonn v. Levittown Union Free School Dist. Supreme Ct. Nassau Co. Decision June 1979, D. Whether a teacher of choral music can reduce a student's grades for excused absences, thus depriving him of being valedictorian. Alan Azzara, Youth Advocacy Group, 210 Old Country Rd., Mineola 11501, 516-741-3560.

[A2] Torres v. Little Flower Children's Services. Supreme Ct. New York Co. 1977. Decision Sept. 1977, P. ELB 763. Action for damages for graduating and discharging a boy from school without having taught him to read. Whether additional schooling should be provided. Steven R. Shapiro, Children's Rights Project, New York Civil Liberties Union, 84 Fifth Ave., New York 10011, 212-924-7800.

[A2] Torres v. City of New York. Supreme Ct. New York Co. Mar. 1978. Action for damages for graduating and discharging a boy from school without having taught him to read. Also whether additional schooling should be provided to age 21. Steven R. Shapiro, Children's Rights Project, New York Civil Liberties Union, 84 Fifth Ave., New York 10011, 212-924-7800.

[R1] Trietley v. Bd. of Ed. of City of Buffalo. Supreme Ct. Erie Co. 1977. Decision D. Appellate Div. decision Nov. 1978, D. 409 N.Y.S. 2d 912. Appeal from the Board's refusal to let students form a bible club in high school. Michael J. Brown; Diebold, Bermingham, Gorman, Brown & Bridge, 1500 Statler Office Building, Buffalo 14202, 716-853-8190.

[E1] U.S. v. Yonkers Bd. of Ed. U.S. Dist. Ct. S.D. Dec. 1980. Claim against the City, Board of Education, and Community Development Agency for intentionally promoting school and public housing segregation in violation of Title VI and Title VIII and the Fourteenth Amendment. Joshua P. Bogin, U.S. Dept. of Justice, Room 7738, Washington, DC 20530, 202-633-3822.

[R1 A3] Vicinanzo v. Bishop Schully High School. Supreme Ct. 1980. Decision 1980, D. Appellate Div. 1980. Suit against a catholic school for not granting a diploma; the student refused to take religion courses (needed for graduation by catholic students) because she contested the content of the courses. Michael D. Raphael, 29 E. Main, Amsterdam 12010, 518-842-7690.

[H1 P1] Windward School v. State of New York. U.S. Dist. Ct. S.D. 1978. Decisions Sept. 1978 and Nov. 1978, D. EHLR 551:219. Appellate Div. 1979.

Decision June 1979, D. EHLR 551:224. ELB 895. Sp. Ed. Whether parents may use the hearing procedure (and a court suit) to challenge the state's decision to terminate funding for a school for the handicapped. Whether parents should be provided a hearing as to the closing of the school. Dermot G. Foley; Kaplan, Kilsheimer and Foley, 122 E. 42nd St., New York 10017, 212-687-1980.

[D8] Winters v. Bd. of Ed. of The City of Buffalo. U.S. Dist. Ct. W.D. Feb. 1978. Class action. Decision May 1978, P. ELB 840. Whether notice and hearing are required for due process purposes in connection with suspensions from school. George L. Cownie, Neighborhood Legal Services, Inc., Ellicott Sq. Bldg., Room 495, Buffalo 14203, 716-847-0650.

[P1] Zick v. Ambach. U.S. Dist. Ct. E.D. 1978. Class action. Settled. ELB 729. 12 CHR 308. Sp. Ed. Suit to compel Commissioner to review, decide, and mail, within 30 days after receipt of request for review of decision, a copy of the decision of the local Board of Education regarding placement of handicapped children. Carl Jay Nathanson, Nassau County Law Service Committee, 91 N. Franklin St., Hempstead 11550, 516-292-8100.

NORTH CAROLINA

[D8 E5] Armstrong v. Hanover Co. Bd. of Ed. Superior Ct. Hanover Co. 1980. Whether the suspension/expulsion system violates due process and state statutes; whether the alternate school for suspended pupils violates equal protection by treating women more harshly than men. James B. Gillespie, Legal Services of Lower Cape Fear, P.O. Box 814, Wilmington 28402, 919-673-6207.

[H1] Armstrong v. North Carolina State Bd. of Ed. U.S. Dist. Ct. W.D. 1980. Sp. Ed. Parents are contesting placement in public school, desiring placement in private school. Robert Donat, 700 Law Building, Charlotte 28202, 704-333-9251

[B6 F3] Fowler v. Williamson. Superior Ct. Catawba Co. 1978. Decision 1978, D. Ct. of Appeals. Decision Feb. 1979, D. 251 S.E. 2d 889. Damage action by parents of a student, against school officials, for refusing to allow their son to participate in graduation exercises wearing denim pants in violation of the dress code; alleging severe mental and emotional distress. Samuel H. Long, Jr.; Isenhower, Long, Laither and Wood, P.O. Box 145, Newton 28658, 704-465-2100.

[B6 F3] Fowler v. Williamson. U.S. Dist. Ct. W.D. 1977. Decision Mar. 1978, D. 448 F. Supp. 497. Damage action by student against school officials for refusing to allow student to participate in graduation exercises wearing denim pants in violation of dress code; alleging deprivation of a property right. Samuel H. Long, Jr.; Isenhower, Long, Gaither, and Wood, P.O. Box 145, Newton 28658, 704-465-2100.

[A1 E2] Green v. Hunt. U.S. Dist. Ct. E.D. Oct. 1978. Moot, 1980. ELB 1049. Alleged that the competency testing program violated the equal protection clause by discriminating against blacks and poor. John H. Harmon, P.O. Box 636, New Bern 28560, 919-633-3114.

[A1 E2] Iwanda H. v. Berry. U.S. Dist. Ct. W.D. May 1980. Class action. Withdrawn. ELB 1050. 14 CHR 575. Whether competency testing violates equal protection and Title VI, as discriminating against blacks, and whether due process was violated because notice of testing was insufficient. Norman B. Smith; Smith, Paterson, Follin, Curtis, James & Harkavy, 704 Southeastern Building, Greensboro 27401, 919-274-2992.

[H6] Harrell v. Wilson Co. Bd. of Ed. Superior Ct. Fulson Co. 1979. Sp. Ed. Whether the local school can provide assistance needed by a deaf child and whether the local school board must supply a program. Cyrus Lee; Lee, Reece, & Cettinger, P.O. Box 2047, Wilson 27893, 919-291-3443.

[H3] Hines v. Pitt Co. Bd. of Ed. U.S. Dist. Ct. E.D. 1980. Decision Sept. 1980, M. CCA 4. Sept. 1980. Sp. Ed. Whether the placement by the school is appropriate; contesting placement in a children's wing of a public mental institution. Michael A. Colombo; James, Hite, Cavendish, & Blount, P.O. Drawer 15, Greenville 27834, 919-752-6000.

[H1 H7] Hunt v. Phillips. U.S. Dist. Ct. M.D. 1980. Sp. Ed. Whether 94-142 requires the educational system to provide residential services. Whether the child should be served for more than 180 days. A. Frank Johns; Booth, Harrington, Johns & Campbell, P.O. Box 3585, Greensboro 27402, 919-275-9567.

[E1] Hunt v. Robeson Co. Bd. of Ed. U.S. Dist. Ct. May 1980. Class Action. Suit to desegregate five school districts, trying to block the merger of schools, claiming it would cause further segregation. Philip Diehl; Moses, Diehl & Pate, P.O. Box 688, Raeford 28376, 919-875-3379.

[H2] Hymes v. Harnett Co. Bd. of Ed. U.S. Dist. Ct. E.D. 1979. Decision Nov. 1980, P. CCA 4 1981. Sp. Ed. Plaintiff sought a due process hearing when the school removed the child from class (and provided home-bound education) because the child had a tracheostomy tube that required cleaning. Louis Lesesne, Jr., 2060 First Union Plaza, Charlotte, 28282 704-372-5700.

[F1] Loman v. Davis. U.S. Dist. Ct. M.D. 1978. Settled. Challenge to censorship of high school newspaper. School forbade publication of an article on birth control. Michael Curtis; Smith, Patterson, Follin, Curtis, James & Harkavy, 704 Southeastern Building, Greensboro 27401, 919-274-2992.

[H6] Willie M. v. Hunt. U.S. Dist. Ct. W.D. Sept. 1979. Class Action. Settlement on claims, remedy being fashioned. 14 CHR 166. Sp. Ed. Broad suit for improved treatment for mentally disturbed children, including treatment of children in school. Sandra Johnson, P.O. Box 2812, Raleigh 27602, 919-828-6775.

[E1] Martin v. Charlotte-Mecklenburg. U.S. Dist. Ct. W.D. 1978. Decision Aug. 1979, D. 475 F. Supp. 1318, CCA 4 1979. Decision 1980, D. 626 F.2d 1165. Certiorari denied 1980. Whether the school can continue to reallocate students to maintain racial balance in response to changing residential patterns. Whiteford Blakeney; Blakeney, Alexander, & Machen, 3450 NCNB Plaza, Charlotte 28280, 704-372-3680.

[H1 P1] Matter of Catherine Diane Linda. Superior Ct. Wake Co. Apr. 1979. Decision 1980, P. Ct. of Appeals 1980. Decision Jan. 1981, D. Sp. Ed. Requesting payment for child's education in residential placement. Whether administrative proceeding can be started before the school's notice of reclassification of child. David Shearon, P.O. Box 1776, Raleigh 27602, 919-832-8396.

[H1] May v. Guilford Co. School System. Superior Ct. Guilford Co. 1980. Sp. Ed. After special placement of learning disabled child, parents sue for reimbursement of prior tutoring expenses. A. Frank Johns; Booth, Harrington, Johns & Campbell, P.O. Box 3585, Greensboro 27402, 919-275-9567.

[D8] Moore v. Wake Co. Bd. of Ed. Superior Ct. Wake Co. Mar. 1980. Settled. Whether the school followed proper administrative procedures in expelling a student. Melinda Lawrence; Smith, Patterson, Follin, Curtis, James & Harkavy, 5 W. Hargett St., Raleigh 27601, 919-755-1812.

[A1 R1] Organized Christian Schools v. State of North Carolina. U.S. Dist. Ct. E.D. Dec. 1978. Moot. Allegation by parents and school that required participation in competency testing violates the First Amendment. Thomas E. Strickland; Strickland & Fuller, P.O. Box 2002, Goldsboro 27530, 919-736-7280.

[D3 D8 D9] Pegram v. Nelson. U.S. Dist. Ct. M.D. 1977. Decision Apr. 1979, D. 469 F. Supp. 1134. Whether there was due process in a hearing by the principal which resulted in suspension from school for less than 10 days (when statute requires due process procedures if over 10 days) and suspension from extracurricular activities for the rest of the term. Judith G. Behar, 415 West Friendly Ave., Greensboro 27401, 919-373-8465.

[E1] Richardson v. Vance Co. Bd. of Ed. Superior Ct. Vance Co. 1981. TRO granted. Suit by 32 students to maintain their class placements; the school, acting under a desegregation agreement with the Office of Civil Rights, was reassigning students according to scores on achievement tests. Robert Catherwood; Edmundson & Catherwood, P.O. Box 428, Oxford 27565, 9919-492-2055.

[D1] Smith v. Hertford Co. Bd. of Ed. U.S. Dist. Ct. E.D. 1980. Decision 1980, D. Contesting suspension from school. John H. Harmon, P.O. Box 636, New Bern 28560, 919-633-3114.

[B4] Sneed v. Greensboro City Bd. of Ed. Superior Ct. Guilford Co. June 1978. Class action. Decision Mar. 1979, P. Supreme Ct. 1979. Decision Apr. 1980, M. 264 S.E. 2d 106. Whether policy of charging the students with fees for general and specific activities and policy of waiving fees for indigent students violates the equal protection clause or the constitutional right to free public school under the state constitution. Douglas A. Scott, Central Carolina Legal Services, Inc., P.O. Box 3467, Greensboro 27402, 919-272-0148.

[R4] State of North Carolina v. Columbus Christian Academy. Superior Ct. Wake Co. Apr. 1978. Decision Sept. 1978, P. North Carolina Supreme Ct. 1979. Moot. ELB 767. Authority of state to regulate and license religious schools in the face of First Amendment claims of parents and schools. Edwin M. Speas, Jr. Spec. Deputy Atty. Gen., P.O. Box 629, Justice Bldg., Raleigh 27602, 919-733-7387.

[D5 D8] Winter v. Batchler. U.S. Dist. Ct. E.D. 1977. Settled 1980. Suit to remove suspension (for possessing marijuana) from student's record because the discipline procedures violated due process and because Fourth Amendment search and seizure restrictions were violated. James J. Wall, Legal Services of Lower Cape Fear, P.O. Box 814, Wellington 28402, 919-763-6207.

NORTH DAKOTA

[H6] Ass'n. of Retarded Citizens v. Link. U.S. Dist. Ct. Sept. 1980. Class Action. Sp. Ed. Whether the state has met the requirements of providing education for its institutionalized students. Mary Schneider; Legal Assistance of North Dakota, 15 S. 21st St., Fargo 58103, 701-232-4495.

[E1] Berger v. Califano. U.S. Dist. Ct. 1977. Decision Oct. 1977, D. Suit against HEW contesting desegregation plan of the Salem School Board. Daniel J. Chapman; Chapman & Chapman, Box 1258, Bismarck 58502, 701-258-6030.

[B4] Cardiff v. Bismarck Public School Dist. State Dist. Ct. 1977. Decision, P. North Dakota Supreme Ct., 1978. Decision Feb. 1978, P. 263 N.W. 2d 105. Whether a school district could charge textbook fees to all students in the District when the North Dakota constitution provides for "free public schools." Stephen Pevar, ACLU Mountain States Regional Office, 3570 E. 12th Ave. Suite 201, Denver 80206, 303-321-5901.

[S1] Crandale v. North Dakota High School Activities Ass'n. Dist. Ct. McHenry Co. Aug. 1977. Decision Sept. 1977, P. North Dakota Supreme Ct. Jan 1978. Decision Jan. 1978, D. 261 N.W. 2d 921. Student contests ineligibility for sports after changing schools. Mark Butz; McClintock, Butz & Kraft, Rugby 58368, 701-776-5276.

[D8] Earhart v. Hazleton Moffit School Dist. State Dist. Ct. 1979. Dismissed Mar. 1979. Whether the student's constitutional due process rights were violated when the school district did not properly inform him that he was being expelled instead of suspended. Dwight Kautzmann; Bair, Brown & Kautzman, Box 100, Mandan 58544, 701-663-6568.

[H7] Fetzer v. Mandan School Dist. U.S. Dist. Ct. Dec. 1979. Settled July 1980. Sp. Ed. Whether the school district must provide for 12 month education for handicapped child. Russell Myhre, Box 2258, Bismarck 58502, 701-222-2296.

[R2] Ring v. Grand Forks Public Schools. U.S. Dist. Ct. 1979. Decision 1980, P. 483 F. Supp. 272. Whether the state could require the posting of the Ten Commandments in a classroom. Stephen Pevar, ACLU Mountain States Regional Office, 3570 E. 12th Ave. Suite 201, Denver 80206, 303-321-5901 and Robert Vogel, 524 Harvard St., Grand Forks 58501, 701-777-2961.

[H7] Soper v. Dickinson School Dist. Fed. Ct. 1979. Settled 1979, P. Sp. Ed. Whether the school district must provide 12 months education for handicapped child. Russell Myhre, Box 2258, Bismarck 58502, 701-222-2296.

[H6] Stickler v. Snortland. U.S. Dist. Ct. Jan. 1979. Settled. Sp. Ed. Deaf child seeks enrollment in a school for the deaf or a teacher trained in education of the deaf. Mary Schneider; Legal Assistance of North Dakota, 15 S. 21st St., Fargo 58103, 701-232-4495.

OHIO

[S2] Adams v. Ohio High School Ath. Ass'n. Common Pleas Ct. Geauga Co. 1980. Decision 1980, D. Suit contesting the defendant's rule that 19-year-old students are ineligible for sports. Richard C. Woollams, Jr., 114 E. Park Street, Chardon 44024, 216-286-6177.

[S2] Anderson v. Ohio High School Ath. Ass'n. U.S. Dist. Ct. N.D. 1978. Whether the Association can constitutionally prohibit students from participating in high school soccer because of involvement in an independent amateur league. Nelson Karl, ACLU, 1202 Bond Court Building, Cleveland 44114, 216-696-6868.

[D8] Block v. Carey. Common Pleas Ct. Mahoning Co. Mar. 1981. Settled. Contesting an expulsion from a parochial school on the grounds that the school did not follow its published procedures. Gary Van Brocklin, 1001 Mahoning National Bank Bldg., Youngstown 44803, 216-743-4184.

[H6] Barbara C. v. Moritz. U.S. Dist. Ct. S.D. Nov. 1977. Class action. Sp. Ed. Whether state should provide appropriate educational services for plaintiffs at Orient State Institute (Orient Developmental Center). Grant Shoub, Ohio Legal Rights Service, 8 E. Long Street, Columbus 43215, 614-466-7264.

[S2] Carlisle v. Ohio High School Ath. Ass'n. Common Pleas Ct. Hamilton Co. 1979. Decision 1979, P. Student contests ineligibility ruling for participating in a non-school tournament. Sylvan P. Reisenfeld, 700 Executive Building, Cincinnati 45202, 513-381-6810.

[D7] Cawell v. Cummings. Common Pleas Ct. Franklin Co. 1978. Settled. Whether teachers have an immunity from defamation suits when conducting an investigation into a theft of money by a student. Whether parental "publication" of the investigation destroyed the necessary components of a defamation suit. Ronald Plymale; Plymale & Chieffo, 529 S. 3rd Street, Columbus 43215, 614-221-1166.

[B6] Clark v. Bd. of Ed. of Hamilton Local School Dist. Common Pleas Ct. Franklin Co. 1977. Decision Apr. 1977, P. 367 N.E. 2d 69. The plaintiff, who completed her work for graduation ahead of her class, sues to be able to take part in the graduation ceremonies. Paul V. Pavlic, 150 E. Mound Street, Columbus 43215, 614-221-8656.

[D1 D5] Courtwright v. Newark City School Dist. Common Pleas Ct. Licking Co. Sept. 1980. Decision Feb. 1981, D. Whether student can be expelled for taking his car out of parking lot without the principal's permission, where the principal wished to search the locked glove compartment and had ordered the student to leave the car in the lot. Jill McGruder; Mas & McGruder, 1919 Lancaster Road, Granville 43023, 614-587-3885.

[H0] Jesu D. v. Lucas County Children Services Bd. U.S. Dist. Ct. N.D. Mar. 1980. Class action. 14 CHR 379. Sp. Ed. Whether the local school district violated the rights of handicapped children who are wards of the state by failing to appoint independent surrogate parents to represent their interests in the special education due process procedures mandated under state and federal laws. Ruth Weil, Advocates for Basic Legal Equality, Inc., 740 Spitzer Building, Toledo 43604, 419-255-0814.

[E1] Bd. of Ed., City of Dayton v. State Dept. of Ed. Ohio Supreme Ct. Nov. 1980. Suit to compel money for buses to be used for desegregation. John P. McHugh; Pickrel, Schaeffer & Ebeling, 2700 Winters Tower, Dayton 45423, 513-223-1130.

[F1] DeCamp v. Bihn. U.S. Dist. Ct. S.D. Mar. 1981. TRO. Whether 18 year old student can photograph events in high school building without prior permission of superintendent. Whether the student can publish the photos. Robert Newman, Cincinnati Legal Aid, 901 9th and Elm Street, Cincinnati 45202, 513-241-9400.

[S2] Demurs v. Avon School Dist. U.S. Dist. Ct. N.D. 1980. Decision, D. Whether a student can be denied the opportunity to try out for the golf team when there are no posted rules explaining eligibility. Laurice Koury, 209 Sixth Street, Lorain 44052, 216-244-3128.

[E1] Dodd v. Rue. Common Pleas Ct. Hamilton Co. 1979. Class action. Decision Dec. 1979, D. 411 N.E.2d 201. Whether the superintendent of schools can assign white children to a predominantly black school district. William E. Flax, 414 Walnut Street, Cincinnati 45202, 513-381-6223.

[B4] Doe v. Lakota Local School Dist. U.S. Dist. Ct. N.D. Apr. 1981. Class action. Whether school board can charge school fees to indigents. Whether school district can punish child for parental inability to pay fees. Carl Piccarretta, Advocates for Basic Legal Equality, Inc., 740 Spitzer Building, Toledo 43604, 419-255-0814.

[D3 D9] Dunaway v. Anderson High School Ath. Director. Ct. of Common Pleas Hamilton Co. Dec. 1980. TRO Dec. 1980. Whether state statute prescribing procedural rights for expulsion also applies to expulsion from school basketball team. John E. Rockel; Rice & Labrigan, 36 East 4th Street, Cincinnati 45202, 513-381-1070.

[B1] Ferris v. Paulding Exempted Village School Dist. Common Pleas Ct. Paulding Co. May 1980. Decision May 1981, P. Plaintiffs requested injunction to prevent transfer of the eighth grade from an Oakwood school to Paulding. John W. Leibold, 3006 North High Street, Columbus 43202, 614-267-5354.

[D1] Franczkowski v. Hubbard Bd. of Ed. Common Pleas Ct. Trimble Co. 1981. Settled. Suspension for possession of marijuana--contested on grounds that there was insufficient evidence of possession. Richard LaCivita, 1108 Wick Bldg., Youngstown 44503, 216-747-6362.

[D3 D9] Gaspari v. Brecksville Bd. of Ed. U.S. Dist. Ct. N.D. Mar. 1981. Whether school can deny participation in extracurricular activities without some procedural due process. Thomas O'Toole; Fetzek, Kulig, Schleicher, & Ress, 5700 Pearl Road, Parma 44129, 216-842-8050.

[D8] Geraci v. St. Xavier High School. Common Pleas Ct. 1978. Decision, D. Ct. of Appeals decision 1979, D. U.S. Supreme Ct. denied cert. Contesting expulsion from private school for throwing a pie, claiming lack of due process. Hyman Rosen, 1005 1st National Bank Bldg., 4th and Walnut St., Cincinnati 45202, 513-621-0828.

[D3] Glenn v. Harper. U.S. Dist. Ct. 1978. Decision 1978, D. CCA 6 1978. Decision 1980, D. 620 F.2d 302. Contesting removal of girl from cheerleader team. Whether there is a constitutionally protected right to be on a team. Robert Carson; Carson & Bockanic, 653 Broadway, Bedford 44146, 216-439-5959.

[D3] Glenn v. Son. Common Pleas Ct. Cuyahoga Co. 1978. Settled. Slander and defamation in removal of girl from cheerleader team. Robert Carson; Carson & Bockanic, 653 Broadway, Bedford 44146, 216-439-5959.

[D1] Gollnitz v. Kettering Bd. of Ed. Common Pleas Ct. Nov. 1978. Decision, D. Ct. of Appeals Apr. 1979. Decision Mar. 1980, D. Contesting suspension for being too long. James R. Kirkland, Biegel, Kirkland & Berger, Suite 518, 111 W. First Street, Dayton 45402, 513-223-0697.

[O1] Griswold Institute v. Cleveland Bd. of Ed. Common Pleas Ct. Cuyahoga Co. Nov. 1980. Suit for declaratory judgment that a school was accredited and for injunction to prevent state from charging parents with truancy for sending child to the school. William L. Blake, 830 Williamson Bldg., Cleveland 44114, 216-241-5730.

[H4] Haines v. Ohio Dept. of Ed. U.S. Dist. Ct. S.D. May 1980. Sp. Ed. Whether a single I.Q. score alone can disqualify a student from a learning disability program. David Skrobat; Krumm, Schwenker, Fisher, & Hartschorn, 297 South High Street, Columbus 43215, 614-221-6627.

[D1] Horvath v. Mad River Bd. of Ed. Common Pleas Ct. Montgomery Co. 1979. Settled. Expulsion of a senior for possession of cigarettes on school grounds. Contested on equal protection and right to privacy grounds. Richard Saphire, University of Dayton School of Law, Dayton 45469, 513-229-2820.

[S1 S4] Hudkins v. Ohio High School Ath. Ass'n. U.S. Dist. Ct. N.D. 1980. Decision Oct. 1980, M. Whether a girl was denied due process when declared ineligible to participate in high school girls' tennis because she had played independent tennis. Whether interscholastic athletics is a right protected by the Fourteenth Amendment. Whether the Association must grant a hearing. R. Kemp Lindsey; Prephan & Lindsey, 3123 Lagrange St., Toledo 43608, 419-244-4697.

[B3] Jent v. Mount Healthy Bd. of Ed. Common Pleas Ct. Hamilton Co. Apr. 1981. Decision Apr. 1981, D. Whether the school board must provide transportation for a child transferred to another school at request of parents to escape rigid disciplinary system. Karen Meador, Cincinnati Legal Aid, 901 Elm Street, Cincinnati 45202, 513-241-9400.

[H6] Jones v. Franklin Local Bd. of Ed. U.S. Dist. Ct. S.D. Dec. 1980. Settled. Sp. Ed. Whether state has to provide placement in a hearing-impaired program in plaintiff's school district. Randy Lewis; Ohio Legal Rights Service, 8 E. Long Street, Columbus 43215, 614-466-7264.

[S2] Kaufman v. Ohio High School Ath. Ass'n. Common Pleas Ct. Franklin Co. 1980. Decision 1980, D. Ct. of Appeals 1981. Decision 1981, D. A student contests being ruled ineligible for a swimming tournament because he swam for a non-school team. Gerald Dicuccio, 50 W. Broad Street, Columbus 43215, 614-221-3151.

[D3 D9] Lehman v. Amherst Exempted School Dist. U.S. Dist. Ct. N.D. 1978. Settled. Whether the removal of a student from extracurricular activities met the notice and hearing requirements of the Ohio Code. Laurice Koury, 209 Sixth Street, Suite 20, Lorain 44052, 216-244-3128.

[E1] Lorain NAACP v. Lorain Bd. of Ed. U.S. Dist. Ct. N.D. Sept. 1979. Class action. Whether the school board is pursuing intentional racial segregation policies. James L. Hardiman; Hardiman, Feld, Riffe, Wade, & Watson, 215 Euclid St., Cleveland 44114, 216-241-6660.

[B6] Mad River Bd. of Ed. v. Thompson. Common Pleas Ct. Montgomery Co. 1980. Decision, P. Suit to enjoin angry parent to keep away from school during graduation ceremonies (the parent had threatened to disrupt ceremonies because son did not graduate). Michael Bridge, 1400 1st National Plaza, Dayton 45402, 513-224-1981.

[S2] Menke v. Ohio High School Ath. Ass'n. Common Pleas Ct. Hamilton Co. 1980. Decision 1980, D. Ct. of Appeals 1980. Student attacked defendant's rule that students are ineligible for sports if their parents live in another state. Sylvan A. Reisenfeld, 700 Executive Building, Cincinnati 45202, 513-381-6810.

[D3 D9] Miller v. Superintendent. Common Pleas Ct. Clermont Co. 1977-78. Decision, D. Whether a high school superintendent can suspend a student from interscholastic sports under the Ohio Code without a hearing. Whether school rules apply to a student's activity on his own time. Arnold Morelli; Bauer, Morelli, & Heyd, 503 Executive Building, 35 East 7th Street, Cincinnati 45202, 513-241-3676.

[D5] Morganstern v. Beard. U.S. Dist. Ct. N.D. 1980. Whether the school principal violated child's Fourth Amendment rights by arranging for a strip search, for drugs, of a 14-year-old girl in the presence of foster mother and social worker. Bruce A. Campbell, ACLU of Ohio, 360 S. Third Street, Columbus 43215, 614-228-8952.

[B1] Moss v. Columbus Bd. of Ed. Common Pleas Ct. Franklin Co. 1977. Decision Apr. 1978, P. 379 N.E. 2d 275. Suit, based on state statute, seeking to attend neighborhood school. Robert K. Hammersmith, 103 Arden Road, Columbus 43214, 614-261-8874.

[B1] Nawaki v. Ohio State Bd. of Ed. Common Pleas Ct. Franklin Co. Sept. 1979. Plaintiffs seek to transfer from the Cleveland school district to the Cuyahoga Heights school district. Peter Lotrasso, Columbus.

[D8] Nestor v. Firelands School Dist. U.S. Dist. Ct. N.D. 1978. TRO, then settled. Suit contesting student suspension; alleging lack of proper hearing and personal bias on the part of the principal. Benjamin B. Sheerer, 614 West Superior Street, Cleveland 44113, 216-241-3646.

[R1 S1] Pavlov v. Ohio High School Ath. Ass'n. Common Pleas Ct. Mahoning Co. Aug. 1980. Decision 1980, D. Student contested a rule that a transferring student is eligible to play sports only if permitted by the school from which he transferred. Student wanted to transfer from public to religious school. Richard LaCivita, 1108 Wick Building, Youngstown 44503, 216-747-6362.

[S3] Pecoraro v. Ohio High School Ath. Ass'n. Common Pleas Ct. Hamilton Co. 1978. Class action. Decision July 1980, D. Ct. of Appeals 1980. Power of Association to prohibit student from participating in private soccer league after school league finishes. James B. Heath; Dooley, Heath & Schneider, 5827 Happy Hollow Road, Milford 45150, 513-831-2142.

[B4] Phluger v. Keller. U.S. Dist. Ct. N.D. Aug. 1980. Whether public school district can deny a student admission because his parents have an outstanding debt to school. Carl Piccarretta, Advocates for Basic Legal Equality, Inc., 740 Spitzer Building, Toledo 43604, 419-255-0814.

[H4 H5 H6 H7] Rettig v. Kent City School District. U.S. Dist. Ct. N.D. Class action denied. Sp. Ed. Whether autistic child is entitled to more than 180 days of school. Whether use of standardized testing violates 94-142. Alleges lack of extracurricular activities for handicapped children, lack of related services such as occupational therapy, and lack of in-service training of teachers, administrators and parents. Seeks compensatory education until child is age 27 because the child was denied entry into the school system in earlier years and has not received appropriate education since enrollment. Edward G. Kramer, 701 Citizens Building, Cleveland 44114, 216-621-3377.

[H0] Roncker v. Walter. U.S. Dist. Ct. S.D. Jan. 1980. Class action. Sp. Ed. State policy on trainable mentally retarded children under 94-142. Barry Cohen, Ohio Legal Rights Services, 8 E. Long Street, Columbus 43215, 614-466-7264.

[H6 P1] Ross v. Cleveland School Bd. U.S. Dist. Ct. N.D. 1979. Decision Jan. 1980, D. Sp. Ed. Suit to have a deaf child placed in the school system. Damages sought. The court held that the plaintiff must first exhaust administrative remedies. Jeffrey H. Friedman; Friedman and Chenette, 330 Standard Building, Cleveland 44113, 216-621-0070.

[H2] Selelyo v. Drury. U.S. Dist. Ct. S.D. Dec. 1978. EHLR 551:254, 12 CHR 735. Sp. Ed. Whether the local school district should provide a less restrictive environment for a handicapped child who is presently with a separate agency. Barry Cohen, Ohio Legal Rights Services, 8 E. Long Street, Columbus 43215, 614-466-7264.

[O1] Settlage v. New Knoxville Local School Dist. Bd. of Ed. Common Pleas Ct. Auglaize Co. 1980. Suit by parents of children in a vocational school claiming that the defendant should pay the vocational school tuition. Gary W. Herman; Stroble, Moser & Herman, 108 W. Auglaize, Wapakoneta 45895, 419-738-4417.

[H1] Smith v. Ohio Dept. of Ed. U.S. Dist. Ct. Apr. 1981. Sp. Ed. Whether state provided services for autistic minor that met §504 and 94-142 requirements. Keith A. Noethlich; Noethlich & Whittaker, 765 Front Street, Columbus 43206, 614-445-8308.

[E1] United States v. Lima City School Dist. U.S. Dist. Ct. N.D. Dec. 1980. Suit for desegregation of Lima schools. Richard J. Epps, Civil Rights Division, Room 7541, Department of Justice, Washington, D.C. 20530, 202-633-4742.

[D7 D9] Waite v. Columbus City School Dist. Bd. of Ed. Common Pleas Ct. Franklin Co. 1978. Decision Mar. 1980, D. Ct. of Appeals, 1980. Decision 1980, D. Review refused by Ohio Supreme Ct. Whether a child can be transferred from a school, for disciplinary reasons, without the due process procedures necessary for expulsion. Bruce A. Campbell, ACLU, 360 S. Third St., Columbus 43215, 614-228-8952.

[E6] Westerville City School Dist. v. Ohio High School Ath. Ass'n. Common Pleas Ct. Franklin Co. 1980. Class action. Decision 1980, D. The school contested the Association's ruling that combining girls' and boys' swimming classes is invalid. Robert Albright, 471 E. Broad Street, 20th Floor, Columbus 43215, 614-228-5711.

[S2] Winyard v. Ohio High School Ath. Ass'n. Common Pleas Ct. Trumbull Co. 1980. Student contests the Association's ruling that he is ineligible for sports under the eight semester rule. James Messinger; Henderson, Covington, Stein, Donchess & Messinger, 600 Wick Building, Youngstown 44503, 216-744-1148.

[S2] Wohlender v. Ohio High School Ath. Ass'n. Common Pleas Ct. Hamilton Co. 1979. Settled. Student attacked defendant's rule that students are ineligible for sports when their parents live in another state. Sylvan P. Reisenfeld, 700 Executive Building, Cincinnati 45202, 513-381-6810.

[H5 S2] Woods v. Ohio High School Ath. Ass'n. U.S. Dist. Ct. S.D. 1980. Dismissed by plaintiff (and filed in state ct). Sp. Ed. Whether a special education student, mainlined after losing a grade in a program for the deaf, can be disqualified from playing high school sports due to age limit. Richard Gerhardt, 143 West Franklin St., Circleville 43113, 614-837-5383.

[H5 S2] Woods v. Ohio High School Ath. Ass'n. Common Pleas Ct. Pickaway Co. 1980. Decision P. Ct. of Appeals. Sp. Ed. Whether a special education student, mainlined after losing a grade in a program for the deaf, can be disqualified from playing high school sports due to age limit. Richard Gerhardt, 143 West Franklin St., Circleville 43113, 614-837-5383.

[D1] Wyatt v. Quisenberry. Common Pleas Ct. Butler Co. 1980. Decision D. Ct. of Appeals. Withdrawn. Student contests expulsion for drinking, on grounds that the code of discipline is vague and does not define "intoxication." Jack Cornett, 1100 Eaton Avenue, Hamilton 45011, 513-863-5533.

[E6] Yellowsprings Exempted Village School Bd. v. Ohio High School Ath. Ass'n. U.S. Dist. Ct. S.D. 1977. Decision 1978, P. 443 F. Supp. 753. CCA 6 1978. Decision Apr. 1981, M, remanded. Whether defendant's rules prohibiting co-ed contact sports violate federal law. Charles Guerrier, Women's Law Fund, 1621 Euclid Avenue, Cleveland 44115, 216-621-3443.

OKLAHOMA

[S1] Adkins v. Mason. Dist. Ct. Oklahoma Co. 1980. Decision 1980, D. Eligibility of two girl basketball players after changing schools. John Couch; Pierce, Couch, Hendrickson, Johnston & Baysinger, 3200 Liberty Tower, Oklahoma City 73102, 405-235-1611.

[E6] Allen v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. Oklahoma Co. 1977. Temporary injunction 1977. Whether a female basketball player can be excluded from a male team. Billy Jack Hendryx, 4900 N. Portand, Suite 111, Oklahoma City 73112, 405-942-8591.

[H2] Baker v. Butler Oklahoma Public Schools et al. U.S. Dist. Ct. W.D. Aug. 1978. Settled. Sp. Ed. Injunction action to place a handicapped child in public schools. William R. Corum, 715 N.E. 17th Street, Oklahoma City 73105, 405-523-5013.

[H1] Baker v. Butler Public School Dist. U.S. Dist. Ct. W.D. 1979. Settled. Sp. Ed. Challenge to school's refusal to provide special placement for mentally retarded child. Dr. Robert M. VanOsdol, Protection & Advocacy Agency for DD, 9726 E. 42nd St., Tulsa 74145, 918-664-5883.

[R2 R3] Bell v. Little Axe School Dist. U.S. Dist. Ct. W.D. May 1981. Challenge to state law allowing prayer in the schools. Challenge to school's practice of distributing bibles in school. Michael C. Salem; Randon & Salem, 2215 W. Lindsey, Suite 112, Norman 73069, 405-360-1302.

[H6] Berry v. Ind. School Dist. No. 1, Tulsa Co. Dist. Ct. Tulsa Co. Dec. 1978. Decision Jan. 1979, D. Sp. Ed. Suit to obtain special services for handicapped child. Allen B. Mitchell; Thompson & Mitchell P.O. Box 190, Sapulpa 74066, 918-224-5750.

[H6 H8] Berry v. Janda. U.S. Dist. Ct. N.D. Oct. 1980. Class action. Sp. Ed. Sec. 504 action alleging inappropriate placement of handicapped child and seeking special education, transportation, and six hour school day for handicapped children. Allen B. Mitchell; Thompson & Mitchell P.O. Box 190, Sapulpa 74066, 918-224-5750.

[H6] Brasier v. Dept. of Institutional and Rehabilitative Services. U.S. Dist. Ct. 1978. Settled 1978. Sp. Ed. Suit to provide appropriate services for handicapped child. Allen B. Mitchell; Thompson & Mitchell, P.O. Box 190, Sapulpa 74066, 918-224-5750.

[B1 H5] Broken Arrow Public Schools v. State Dept. of Ed. U.S. Dist. Ct. N.D. Mar. 1981. Sp. Ed. Whether a 21-year-old mentally retarded person in a private, full-care facility is a resident entitled to educational services from the school district, and whether she has already received the 12 years of free public schooling mandated by state statute. Ronald L. Day; Fenton, Fenton, Smith, Reneau & Moon, 200 Court Plaza, Oklahoma City 73102, 405-235-4671.

[B1] Burdick v. Ind. School Dist. 52. Dist. Ct. Oklahoma Co. 1980. Whether students living on the boundary between school districts should attend Oklahoma City schools or the Midwest City--Del City schools. Jack B. Fried; Kilpatrick, Jordan & Fried, 3900 S.E. 29th Street, Del City 73115, 405-672-7845.

[H1] Cain v. Yukon Public School Dist. U.S. Dist. Ct. W.D. Feb. 1981. Sp. Ed. Suit for reimbursement of tuition and other expenses for the out-of-state residential placement, by parents, of an emotionally disturbed and retarded child, alleging that the school district has failed to provide the appropriate education to which the child is entitled. George H. Ramey, P.O. Box 106, Yukon 73099, 405-354-1987.

[H6] Carter v. Ind. School Dist. No. 6 Sequoyah Co. U.S. Dist. Ct. W.D. Sept. 1980. Sp. Ed. Appropriate education for visually handicapped child. Dr. Jon Tom Staton, P.O. Box 1096, Muskogee 74401, 918-683-4440.

[H0] Cole v. Dept. of Institutional and Rehabilitative Services. U.S. Dist. Ct. 1977. Settled 1978. Sp. Ed. Suit to compel Department to comply with 94-142. Allen B. Mitchell; Thompson & Mitchell, P.O. Box 190, Sapulpa 74066, 918-224-5750.

[H0] Cole v. Dept. of Institutional and Rehabilitative Services. U.S. Dist. Ct. 1978. Settled 1978. Sp. Ed. Suit to obtain access to school medical and educational records of handicapped children. Allen B. Mitchell; Thompson & Mitchell, P.O. Box 190, Sapulpa 74066, 918-224-5750.

[S2 S4] Conner v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. Oklahoma Co. May 1981. Preliminary injunction May 1981. Whether the association denied due process to students in not granting the students a hearing after it declared the students ineligible for signing, then destroying, collegiate letters of intent. Robert Alexander, 1700 Liberty Tower, Oklahoma City 73102, 405-235-7700.

[D4 D8] Davis v. Oklahoma School Dist. 9. Dist. Ct. Oklahoma Co. 1977. Settled. Child was to be spanked because she had been late to school and then she was suspended without a hearing when she refused to be spanked. William R. Corum, 715 N.E. 17th Street, Oklahoma City 73105, 405-523-5013.

[P2] Deer Creek-Lamont Public Schools v. Maddox. Dist. Ct. Grant Co. Mar. 1981. Decision Apr. 1981, P. Sp. Ed. Application for injunction to prevent a 94-142 due process hearing in regard to the expulsion of a handicapped child on the grounds that the state statute on student discipline is controlling and that the state cannot agree to 94-142 rules that conflict with its own statute. Stephen Jones; Jones & Gungoll, P.O. Box 3339, Enid 73701, 405-233-4321.

[B1] DeMarsh v. Payzant. U.S. Dist. Ct. 1980. A father of an Oklahoma City student sued to force the school board to transfer his son from one junior high school to another because the son faces retaliation from students for reporting marijuana smokers to authorities. Pro se. Defense attorney is William P. Bleakley, 1200 N. Shartel 73103, 405-232-2414.

[E7] Fair School Finance Council of Oklahoma, Inc. v. The State of Oklahoma. Dist. Ct. Oklahoma Co. July 1980. Class Action. Decision Feb. 1981, D. Oklahoma Supreme Ct. Mar. 1981. Challenge to financing of public education through ad valorem taxes, to state aid formula and to the school financing system in general. M. David Riggs; Chapel, Wilkinson, Riggs, Abney & Kiefer, 502 W. 6th St., Tulsa 74119, 918-587-3161.

[E7] Ford v. Winters. Supreme Ct. July 1977. Decision Sept. 1977, D. Students and taxpayers claim that the state school aid formula violates the equal protection clause of the state constitution. The court declined to take jurisdiction. William W. Gordon, address unknown.

[S3] Hightower v. Oklahoma Secondary Schools Activities Ass'n. Dist. Ct. Oklahoma Co. 1977. Decision 1977, D. Student contested ineligibility for sports because he is over the age limit set by the Association. Mike Mitchell, P.O. Box 588, Woodward 73801, 405-254-3447.

[S1] Hyde v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. Oklahoma Co. 1977. Decision 1977, D. Contesting the transfer rule in sports eligibility where student did not play for team in the prior school. Herbert Hyde, 1804 Coventry Lane, Oklahoma City 73120, 405-521-3638.

[H6] Ind. School Dist. No. 52 v. Austain. Dist. Ct. Oklahoma Co. Feb. 1980. Sp. Ed. Appeal from hearing officer's decision that air conditioning be provided in the classroom for a child suffering from a skin problem. James F. Howell; Howell, Webber & Sharpe, P.O. Box 10798, Midwest City 73140, 405-524-0128.

[E6] Jones v. Oklahoma Secondary School Activities Ass'n. et al. U.S. Dist. Ct. W.D. 1978. Decision 1978, D. CCA 10 1978. Moot. Claim that not allowing girls to participate in full court basketball is a denial of equal protection and violates Title IX. The trial court ruled there was no federal question. Sylvia Marks-Barnett, 1215 Classen Drive, Oklahoma City 73103, 405-239-6707.

[H6] Kildare School Dist. v. State Dept. of Ed. Dist. Ct. Kay Co. Feb. 1981. Sp. Ed. Appeal by school district from ruling by hearing officer that the school should provide a registered nurse for the catheterization of a handicapped child. R. Michael Pool; Pool, Lee & Franseen, 3305 N. 14th St., Ponca City 74601, 405-762-3402.

[H5 S2] Mahan v. Oklahoma High School Activities Ass'n. Dist. Ct. Oklahoma Co. Apr. 1980. Decision May 1980, P. Sp. Ed. Whether a dyslexic boy, who was still in school because the school had failed to provide special education for him, should be allowed to compete in track meets, though he was over age according to the Association rules. Dr. Jon Tom Staton, P.O. Box 1096, Muskogee 74401, 918-683-4440.

[D4 D8] Morrison v. School Bd. Dist. 95 Grant Co. Dist. Ct. Grant Co. 1981. Charging lack of due process in corporal punishment and suspension. Mrs. Lynn M. Barnett, 2412 Classen Boulevard, Oklahoma City 73106, 405-232-1609.

[S1] Mozingo v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. Mays Co. 1977. Decision 1977, P. Ct. of Appeals decision Feb. 1978, D. 575 P. 2d 1379. Student contests ineligibility for sports after changing schools. John M. Crockett, P.O. Box 801, Pryor 74361, 918-434-2716.

[S4] Nolon v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. 1980. Decision 1980, D. Whether the association had the power to suspend a football player from future games without giving him a hearing. Tim Baker; Baker & Willis, 218 S. Muskogee Avenue, Tahlequah 74464, 918-456-0618.

[H7] Paulson v. Ind. School Dist. No. 1, Tulsa Co. U.S. Dist. Ct. N.D. June 1978. Moot. Sp. Ed. Year round education for handicapped child. Allen B. Mitchell; Thompson & Mitchell, P.O. Box 190, Sapulpa 74066, 918-224-5750.

[D4] Reirdon v. Wilburton Bd. of Ed. Dist. Ct. Latimer Co. Nov. 1978. Decision D. State Supreme Ct. 1979. Decision 1979, P. Remanded. Suit for damages for corporal punishment in school. Mary Ann Coleman, P.O. 424, Talihina 74571, 918-567-2331.

[S2] Ridenour v. Oklahoma Secondary School Activities Ass'n. Dist. Ct. Tulsa Co. 1980. Decision 1980, D. Sports eligibility. J. C. Baker; Baker, Baker & Gasaway, 1850 S. Boulder, Tulsa 74119, 918-587-1168.

[E3] Varshosaz v. Putnam City Ind. School Dist. Dist. Ct. Oklahoma Co. 1980. Temporary injunction. City school began a policy of requiring tuition for children of visa-carrying adults. Sidney D. Brown, 1219 Classen Drive, Suite 100, Oklahoma City 73103, 405-232-1242.

OREGON

[H1] Arens v. Dallas School Dist. Cir. Ct. Marion Co. Sept. 1979. Decision Apr. 1980, D. Sp. Ed. Whether a child with severe behavior problems from brain damage must become a ward of the court in order to receive education at state institution. Daniel J. Gatti; Gatti & Gatti, 1761 Liberty South, Salem 97302, 503-363-3443.

[H1] Arens v. Dallas School Dist. U.S. Dist. Ct. May 1980. Decision Dec. 1980, P. Sp. Ed. Whether a child with severe behavioral problems from brain damage must become a ward of the court in order to receive education at state institution. Daniel J. Gatti; Gatti & Gatti, 1761 Liberty South, Salem 97302, 503-363-3443.

[D5] Bilbrey v. Brown. U.S. Dist. Ct. May 1978. Class action. Partial summary judgment Oct. 1979, D. 481 F. Supp. 26. Decision, D. CCA 9. 13 CHR 449. Whether searches of plaintiffs' persons for drugs, without a warrant, were unreasonable, and violated plaintiff's rights to due process, equal protection and privacy. David B. Hatton, Oregon Legal Services Corp., 115 North 21st St., St. Helens 97051, 503-397-1871.

[H2] Bonar v. Pitney. U.S. Dist. Ct. June 1979. Sp. Ed. Suit to obtain appropriate special education in the local school instead of bussing the handicapped child three hours a day to a special school outside the district. Stephen Brischetto, Oregon DD and Advocacy Center, 621 S.W. Morrison Ave., Portland 97205, 503-243-2081.

[S2] Casey v. Oregon School Activities Ass'n. Cir. Ct. Washington Co. 1979. Decision 1979, D. Plaintiff contests ineligibility for sports after turning 19 years old. Michael McElligott, 232 N.E. Lincoln St., Hillsboro 97123, 503-640-3695.

[H1] Chatterton v. Lincoln County School Bd. U.S. Dist. Ct. 1978. Decision Nov. 1979, D. ELB 918. Sp. Ed. Whether child should be educated at home, as school wished, or placed in residential training as the parents sought. Daniel J. Gatti; Gatti & Gatti, 1761 Liberty South, Salem 97302, 503-363-3443.

[F1] Clark v. Gladstone School Dist. U.S. Dist. Ct. 1979. Class Action. Settled. Student challenges the school's refusal to permit the school newspaper to publish an article critical of the school board. Charles F. Hinkle; Stoel, Rives, Boley, Frazier, and Wyse, 900 S.W. Fifth Ave., Portland 97204, 503-224-3380.

[R1 S1] Cooper v. Oregon School Activities Ass'n. Cir. Ct. 1979. Decision 1979, D. Ct. of Appeals Dec. 1979. Decision 1981, D. Two students were ruled ineligible for sports after they transferred from private to public schools. The Association decision was contested on First Amendment, due process, and equal protection grounds. Daniel Skerritt, 111 S.W. Columbia, Portland 97201, 503-226-1191.

[H1] Cruz v. Peterson. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Parent of a deaf-blind child seeks a special education teacher with special training in the areas of hearing and vision impairment for her child, as well as reimbursement for out-of-district placement. Steve Brischetto, Oregon D D Advocacy Center, 621 S.W. Morrison St., Rm. 713, Portland 97205, 503-243-2081.

[H7] Hilden v. Evans. U.S. Dist. Ct. June 1980. Decision Nov. 1980, P. CCA 9 Dec. 1980. EHLR 552:299. Sp. Ed. Whether the summer school program for handicapped children was appropriate. Attorney's fees were allowed for the administrative proceedings as well as for the court case. Stephen Brischetto, Oregon DD and Advocacy Center, 621 S.W. Morrison Ave., Portland 97205, 503-243-2081; Elden Rosenthal; Rosenthal & Greene, Portland, Co-counsel.

[R1 S2] Imper v. Oregon School Activities Ass'n. Cir. Ct. Clackamas Co. 1979. TRO 1979. Suit contesting the association's rule that children attending a parochial school outside the school district where they live are ineligible for sports. Paul G. Robeck, 18808 S.E. Mildred, Milwaukie 97222, 503-655-0105.

[S2] Jackson v. Oregon School Activities Ass'n. Cir. Ct. Lane Co. 1980. Settled. Whether student who had detrimentally relied on previous Association rule could be barred from playing sports when a 19 year old cutoff rule was imposed. Whether the Association violated an Oregon statute forbidding discrimination on basis of age. Robert Dickenson, 777 High Street, Eugene 97401, 503-484-9141.

[S2] Jenkins v. Oregon School Activities Ass'n. Cir. Ct. Lane Co. Nov. 1980. Decision Feb. 1981, D. U.S. Dist. Ct. Feb. 1981. Preliminary injunction denied, then moot. Sp. Ed. Whether Association rule that students over 18 could not participate is discriminatory and in conflict with rules under 94-142. Larry R. Roloff, 834 Pearl St., Eugene 97401, 503-686-8695.

[HO S2] Jenkins v. Oregon School Activities Ass'n. Cir. Ct. Lane Co. 1980. Decision 1981, D. Ct. of Appeals Feb. 1981. Sp. Ed. Whether the defendant's rule making 19 year old students ineligible for sports can be applied to a handicapped child who repeated grades due to his handicap. Larry Roloff, 834 Pearl Street, Eugene 97401, 503-686-8695.

[F2] Johnson v. Stuart. U.S. Dist. Ct. 1978. Decision May 1980, D. CCA 9 June 1980. ELB 986. Authority of state to proscribe use of a text which departs from state views on patriotism as reflected in state statute. David H. Wilson, Jr., 520 S.W. Yamhill, Portland 97204, 503-226-6151.

[S2] Krueger v. Oregon School Activities Ass'n. Cir. Ct. Multnomah Co. Apr. 1981. Decision Apr. 1981, D. Suit contesting the age limitation rule for sports eligibility, claiming that the rule was not established according to the Association's procedures. Craig K. Edwards, N.W. Legal Clinic, 310 S.W. Fourth Ave., Portland 97204, 503-222-6429.

[D1 D8] Laney v. Wade. Cir. Ct. Hood River Co. 1978. ELB 738. Whether the school rule providing for automatic expulsion after the fifth suspension was unconstitutional because it denied due process. Ira R. Zarov, Oregon Legal Services Corp., 2328 Northwest Everett St., Portland 97210, 503-223-7502.

[H1 H7] Mahoney v. Administration School Dist. No. 1, Bend. Ct. of Appeals 1979. Decision Oct. 1979, P. 601 P. 2d 826. Sp. Ed. Whether hearing officer's decision that residential placement is necessary is, in effect, a determination that the school district must pay the cost of such placement. Whether the school district must pay for full year residential placement. Daniel J. Gatti; Gatti & Gatti, 1761 Liberty South, Salem 97302, 503-363-3443.

[D9] *Noonan* v. *Lake Oswego School Dist.* Cir. Ct. Clackamas Co. May 1981. Decision May 1981, D. Student sues to participate in commencement activities (after the school refused to allow it as punishment for misbehavior) claiming unsufficient notices of the hearing. James T. Roberson, 1500 Orbanco Bldg., 1001 S.W. Fifth Ave., Portland 97204, 503-228-6277.

[H4 H6] *Savaria* v. *Russell*. U.S. Dist. Ct. June 1980. Class action. 14 CHR 579. Sp. Ed. Allegations of misclassification as EMR, rather than as hyperactive learning disabled; beating by teacher, lack of notice to parent of rights; and failure to provide proper education; constituting violation of 94-142, 504 and Fourteenth Amendment. Ira R. Zarov, Oregon Legal Services Corp., 2328 Northwest Everett St., Portland 97210, 503-223-7502.

[S2] *Smith* v. *Oregon School Activities Ass'n.* Cir. Ct. Lane Co. 1980. Withdrawn. Student sues to play football after being ruled ineligible for being enrolled too many semesters. Larry Anderson; Anderson & Smejkal, P.O. Box 848, Eugene 97440, 503-484-0110.

[F1] *Weaver* v. *School Dist. 4J*. U.S. Dist. Ct. Aug. 1977. Class action. Withdrawn. Challenge to high school's refusal to permit gay organization to place an ad in the student paper, alleging violation of free speech and equal protection rights. Charles F. Hinkle; Stoel, Rives, Boley, Frazier, and Wyse, 900 S.W. Fifth Ave., Portland 97204, 503-224-3380.

[S1] *Whipple* v. *Oregon School Activities Ass'n.* Cir. Ct. Washington Co. 1979. Decision 1979, D. Ct. of Appeals April 1980. Suit attacking the transfer rule concerning sports eligibility. Stewart Whipple; Whipple, Johansen & McClain, 6501 S.W. Macadam Avenue, Portland 97201, 503-246-7722.

PENNSYLVANIA

[B3] *Abrahams* v. *Wallenpaupack Area School Dist*. Common Pleas Ct. Pike Co. 1979. Decision 1980, D. Commonwealth Ct. 1980. Decision Nov. 1980, D. 422 A.2d 1201. Whether School Board committed abuse of discretion or error in decision to discontinue bus service in interior roads of private residential development. Randolph T. Borden, Star Route #2, Box 24, Hawley 18428, 717-226-6464.

[D1] *Abremski* v. *Southeastern School Dist.* Common Pleas Ct. York Co. 1978. Decision, D. Pennsylvania Supreme Ct. Decision Oct. 1980, D. 421 A.2d 485. Whether school board had the authority to suspend students for smoking marijuana on a school bus, and whether a 40-day suspension was improper. Edward B. Gola, 9 W. Pennsylvania Avenue, Stewartstown 17363, 717-993-3039.

[S2] *Adamek* v. *Pennsylvania Interscholastic Ath. Ass'n*. Common Pleas Ct. Allegheny Co. 1979. Decision 1979, P. Commonwealth Ct. 1979. Decision Mar. 1981, D. Petition of review to Pennsylvania Supreme Ct. 1981. Suit contesting the defendant's ruling that a student was ineligible to play football because of low academic standing. Thomas Smith, 3180 U.S. Steel Building, Pittsburgh 15219, 412-281-7272.

[H7] *Armstrong* v. *Kline*. See *Battle* v. *Commonwealth, infra*.

[S3] Banke v. Pennsylvania Interscholastic Ath. Ass'n. Western Division Golf Tournament. Common Pleas Ct. Allegheny Co. Sept. 1980. Settled. Student seeks relief from a rule that a school representative must accompany each contestant to the playoffs (school was on strike). John R. Banke, 677 Blue Ridge Road, Pittsburgh 15239, 412-327-6777.

[H7] Battle v. Commonwealth of Pennsylvania (Armstrong v. Kline below). U.S. Dist. Ct. S.D. Jan. 1978. Class Action. Decision June 1979, P. 476 F. Supp. 583. CCA 3 1979. Decision July 1980, P. 629 F. 2d 269. Petition for Cert. Nov. 1980. Sp. Ed. Challenge to state rule that limited the number of school days to 180, on the grounds that it violates 94-142 and that handicapped children may need 12 months of special education. Janet F. Stotland, Education Law Center, 225 S. 15th Street, Philadelphia 19102, 215-732-6655.

[S2] Beck v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Snyder Co. 1979. Decision 1979, D. Student challenges the defendant's rule limiting the number of semesters he can be eligible for sports. Roger Wiest; Wiest, Wiest & Saylor, 244 Market Street, Sunbury 17801, 717-286-7777.

[B2] Beegle v. Greencastle-Antrim School Dist. Common Pleas Ct. Franklin Co. 1977. Decision Feb. 1978, D. Commonwealth Ct., decision Apr. 1979, D. Suit by parents to prevent closing of a school, alleging that class size would increase and overcrowding of other schools would result. Frederic G. Antoun, Jr., Chambersburg Trust Bldg., Chambersburg 17201, 717-263-3567.

[H1 P1] Brown v. Kline. U.S. Dist. Ct. E.D. Aug. 1978. Class Action. Settled. 12 CHR 362. Sp. Ed. Suit for a residential, twelve month program, for improved services, and for increased access to due process hearings. Janet Stotland, Education Law Center, 225 S. 15th Street, Philadelphia 19102, 215-732-6655.

[S2] Bunner v. Neff. Common Pleas Ct. York Co. Mar. 1978. Settled. Whether a boy with a single testicle should be allowed to play contact sports. Robert Sprenkle, Jr., address unknown.

[D3 D9] Cave v. Connellsville Area Bd. of School Directors. Common Pleas Ct. Oct 1980. Settled. High school football players were suspended from class and the football team for use of drugs; the suspensions are contested on the grounds that there was no due process hearing. Charles W. Watson; McCue & Watson, 813 Blackstone Road, Connellsville 15425, 412-628-5150.

[O1] Central York School Dist. v. Commissioner, Dept. of Ed. Commonwealth Ct. Nov. 1977. Decision Mar. 1979, M. 399 A.2d 167. Appeal by the school district from order for special education of gifted student where the state failed to provide "excess cost" funding as required by state law. Henry B. Leader; Stock and Leader, 35 S. Duke Street, York 17401, 717-843-7841.

[D1] Collins v. McKeesport School Dist. Common Pleas Ct. Allegheny Co. Dec. 1978. Decision Feb. 1979, P. Commonwealth Ct. Mar. 1979. Decision Dec. 1980, P. 423 A.2d 1112. Whether expelling student for tussling with teacher was excessive punishment. On appeal, whether lower court abused its discretion in deciding that expulsion was too severe. Lorraine D. Taylor, Neighborhood Legal Services, 332 Fifth Ave., McKeesport 15132, 412-678-0195.

[S2] Cowell v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. 1980. Decision 1980, D. Student contests the eight-semester standard for sports eligibility, claiming that exemptions were given others in same situation. Michael Manzo; Berkman, Ruslander, Pohl, Lieber & Engel, Frick Building, 20th Floor, Pittsburgh 15219, 412-392-2000.

[S2] Daniels v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. Aug. 1980. Decision Aug. 1980, D. Student contests sports ineligibility under the eight-semester rule. Gary N. Baltman, 912 Frick Building, Pittsburgh 15219, 412-261-4050.

[E7] Danson v. Casey. Commonwealth Ct. Apr. 1977. Decision Feb. 1978, D. 382 A.2d 1238. State Supreme Ct. 1978. Decision Mar. 1979, D. 399 A.2d 360. Whether the state officials complied with the constitutional provision that all children should be provided with a thorough and efficient education. Challenge to the statutory system by which the Philadelphia School District is funded. Plaintiff wanted uniform distribution of school funds in the state. John R. McConnell; Morgan, Lewis & Bockius, 123 S. Broad Street, Philadelphia 19109, 215-875-5000.

[D1] Davis v. Central Dauphin School Dist. U.S. Dist. Ct. M.D. Jan. 1979. Decision Feb. 1979, M. 466 F. Supp. 1259. Suit for injunction, contesting the superintendent's authority to suspend a student from the basketball team for fighting in locker room. James H. Rowland, Jr.; Rowland & Rowland, 812 N. 17th Street, Harrisburg 17103, 717-233-6787.

[D8] Dent v. Big Beaver Falls Area School Dist. Common Pleas Ct. Beaver Co. June 1978. Decision Nov. 1979, P. Contested expulsion on grounds that notice of hearing was inadequate, that a permanent expulsion was extreme punishment, and that the school failed to provide alternative education. Albert Jones, Neighborhood Legal Service, 266 Franklin Avenue, Aliquippa 15001, 412-378-0595.

[H1 P1] Eberle v. Bd. of Public Ed. School Dist. of Pittsburgh. U.S. Dist. Ct. 1977. Decision Oct. 1977, D. 444 F. Supp. 41. Sp. Ed. A deaf child contests change of placement from a private to a public school. Whether the 94-142 due process procedures apply retroactively. Joseph M. Ludwig; Ludwig & Achman, 312 Frick Bldg., Pittsburgh 15219, 412-223-2308.

[D1] Fecca v. Bd. of Directors of Neshaminy School Dist. Common Pleas Ct. Bucks Co. Jan. 1980. Decision Feb. 1980, D. Student contests suspension for possession of marijuana, claiming that the school board should not have considered an earlier offense when determining the suspension. Attorney unknown.

[H1] Fitz v. Intermediate Unit No. 29. Commonwealth Ct. May 1977. Decision June 1979, D. 403 A.2d 138. Sp. Ed. Parents wished to obtain tuition for placement of child in a special school for the deaf. William R. Mosolino, Center Square, Orwigsburg 17961, 717-366-0233.

[H1] Gittleman v. Scanlon. U.S. Dist. Ct. E.D. Mar. 1980. Class action. 14 CHR 166. Sp. Ed. Contesting a state statute that sets a limit on funds to be used for private education under §94-142. Caryl A. Oberman, Education Law Center, 2100 Lewis Tower, 225 South 15th St., Philadelphia 19102, 215-732-6655.

[O1] Lisa H. v. State Bd. of Ed. Common Pleas Ct. Bucks Co. Aug. 1980. Removed to Commonwealth Ct. Sept. 1980. School system has a program for gifted and talented children from which the two plaintiff children were excluded. Whether tax money can be used to establish a program that excludes some children. Doris Applebaum, 6232 Madison Ct., Cornwells Heights 19020, 215-757-1378.

[H1] Hark v. School Dist. of Philadelphia. U.S. Dist. Ct. E.D. Mar. 1980. Decision Dec. 1980, M. 505 F. Supp. 727. Sp. Ed. Whether parents should be reimbursed for private placement tuition; placement was made during a delayed administrative procedure and was ultimately found to be appropriate by state hearing officer. William Meritz, William Meritz Associates, Neshaminy Plaza #1, Bensalem 19020, 215-245-0400.

[P2] Kenneth J. v. Kline. U.S. Dist. Ct. E.D. June 1977. Class action. Settled. 11 CHR 376. Sp. Ed. Suit contesting expulsion of emotionally disturbed and learning disabled children, requesting a due process hearing. Janet Stotland; Education Law Center, 225 S. 15th Street, Philadelphia 19102, 218-732-6655.

[S1 S4] Jobson v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Luzerne Co. Nov. 1980. Decision 1981, M. Student contests ineligibility for sports under the transfer rules; alleging that the defendant scheduled the hearing for after the season. Mark A. Ciavarella; Lowery, Ciavarella & Hogan, Suite 609, United Penn Bank Building, Wilkes-Barre 18701, 717-823-8878.

[E6] Jones v. Marcase. U.S. Dist. Ct. E.D. Feb. 1980. Class action. Title IX attack on the Philadelphia public schools' and Arch Diocesan schools' all male interscholastic competition. Linda S. Greene, Temple University School of Law, 1719 N. Broad Street, Philadelphia 19122, 215-787-8962.

[P1] L. v. Allegheny Intermediate Unit. Common Pleas Ct. Allegheny Co. Sept. 1980. Consent decree Sept. 1980. Sp. Ed. Child discharged from a handicapped program without due process. Ilene W. Shane, Developmental Disabilities Law Project, Univ. of Pittsburgh, Pittsburgh 15260, 412-624-6230.

[D1] Laws v. Altoona Area Schools. Common Pleas Ct. Altoona Co. Apr. 1978. Appealed denial of injunction to Commonwealth Ct. Apr. 1978. Decision 1978, D. A student was suspended from school for possessing drugs and filed for a preliminary injunction to permit graduation. Gary A. Caldwell, 1201 9th Ave., Altoona 16602, 814-944-0434.

[H4] Levy v. Commissioner, Dept. of Ed. Commonwealth Ct. 1977. Decision 1979, P. 399 A. 2d 159. Sp. Ed. Whether I.Q. tests are sufficient basis for classifying child as a retarded child. Stephen Goldberg, Education Law Center, 2100 Lewis Tower, Philadelphia 19102, 215-732-6655.

[H6] Lindsay v. Thomas. Common Pleas Ct. Philadelphia Co. May 1979. Decision Nov. 1980, D. Commonwealth Ct. Nov. 1980. Sp. Ed. Damage action for inappropriate placement, failure to diagnose disability, failure to follow recommendation of school personnel, and failure to carry out state agency orders. Lawrence Schall, Community Legal Services, 3638 N. Broad Street, Philadelphia 19140, 215-227-2400.

[D1 D8] M. v. Wyoming Valley West School Dist. U.S. Dist. Ct. M.D. Nov. 1980. Class action. Settled. 14 CHR 1183. Contesting the school's policy of suspending children without first giving supportive services and without proper due process safeguards. Linden Appel, Legal Services of Northeastern Pennsylvania, 15 Public Square, Wilkes-Barre 18701, 717-825-8567.

[D8] Maurer v. Bd. of School Directors North Schuylkill School Dist. Common Pleas Ct. Mar. 1980. Decision Apr. 1980, D. Student contests a suspension on the grounds that he did not receive adequate notice of the hearing. James J. Curran, 200 Mahantongo Street, Pottsville 17901, 717-622-6880.

[B3] McKeesport Area School Dist. v. Commonwealth. Commonwealth Ct. 1977. Decision Oct. 1978, D. 392 A.2d 912. Review refused by Pennsylvania Supreme Ct. Whether school districts must transport private school students beyond the district boundaries. Lewis J. Nescott; Nescott & Taylor, 607 Union National Bank Building, McKeesport 15132, 412-664-4405.

[S2] Minichello v. Wilkes-Barre Area School Dist. Common Pleas Ct. Luzerne Co. Aug. 1980. Injunction granted, then settled. Student contests his sports ineligibility resulting from insufficient class attendance. John P. Moses; Moses & Gelso, Suite 1200, United Penn Bank Building, Wilkes-Barre 18701, 717-826-1401.

[S2] Moreland v. Western Pennsylvania Interscholastic Ath. Ass'n. U.S. Dist. Ct. W.D. 1977. Decision 1977, D. CCA 3 1977. Decision Feb. 1978, D. 572 F.2d 121. Student contests the Association's ruling that he and his team are not eligible for post-season play because of his violation of attendance standards. Albert J. Jones; Neighborhood Legal Services, 266 Franklin Avenue, Aliquippa 15001, 412-378-0595.

[S2] Mosites v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. 1979. Decision 1979, D. Student desires to play sports in senior year, after repeating a grade. R. Dell Ziegler, 57th Floor, 60 Grant Street, Pittsburgh 15219, 412-562-8800.

[E1] National Ass'n. for Neighborhood Schools v. Bd. of Ed. of Pittsburgh. U.S. Dist. Ct. W.D. Sept. 1980. Class action. Decision 1980, D. 497 F. Supp. 471. Suit to preserve neighborhood school by declaring bussing unconstitutional. David M. Baer; Abrams & Baer, 802 Frick Bldg., Pittsburgh 15219, 412-232-3525.

[H1] O'Grady v. Centennial School Dist. Commonwealth Ct. 1978. Decision June 1979, P. 401 A.2d 1388. Sp. Ed. Child was placed in a residential school by a juvenile court. The parents contest the school district's position that they can no longer make decisions regarding education of their children. Robert W. Suter; Suter and O'Conner, 10 E. Court Street, Doylestown 18901, 215-348-9950.

[F4] Ogrod v. School Dist. of Philadelphia. U.S. Dist. Ct. E.D. 1980. Decision, D. CCA 3. Action by parent to compel production of son's school records. Pro se.

[H2] Pecunas v. Kline. U.S. Dist. Ct. E.D. Sept. 1978. Withdrawn. 12 CHR 419. Sp. Ed. Contesting the segregation of a handicapped child into an isolated center, and requesting that he be mainstreamed into regular classrooms. Janet F. Stotland, Education Law Center, 225 S. 15th Street, Philadelphia 19102, 215-732-6655.

[S2] Penn Hills School Dist. v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. 1979. Decision 1979, P. Commonwealth Ct. Decision Mar. 1981, D. Petition of review to State Supreme Ct. 1981. Contesting the Association's ruling that a football team must forfeit three games because a player did not meet its rules for academic eligibility. John M. Tighe, 510 Third Avenue, Pittsburgh 15219, 412-391-7135.

[H9] Philadelphia School Dist. v. Commonwealth of Pennsylvania. Commonwealth Ct. Oct. 1980. Sp. Ed. Action to compel state to fund the full excess costs of special education and to fund transportation costs for special education students. Lawrence D. Berger; Dilworth, Paxson, Kalish and Levy, 2600 Fidelity Building, Philadelphia 19109, 215-546-3000.

[H4] Pope v. Crawford Central School Dist. Common Pleas Ct. Crawford Co. Sept. 1980. 14 CHR 580, 866. ELB 971. Sp. Ed. Contesting procedures for developing an educational plan for handicapped child under Pennsylvania statutes. James Bukac, Northwest Legal Services, 1235 Liberty St., Franklin 16323, 814-437-3028.

[H3] Savka v. Dept. of Ed. Commonwealth Ct. 1978. Decision July 1979, D. 403 A.2d 142. Sp. Ed. Appeal from order of state Secretary of Education approving placement of hearing-impaired child. Frank P. Paz and Gerald G. De Angelis, 1529 Freeport Road, Natrona Heights 15065, 412-224-1300.

[O1] Scanlon v. Mount Union Area Bd. of Dir. Commonwealth Ct. 1979. Decision 1979, D. State Supreme Ct. 1979. Decision 1980, P. Whether schools are mandated by statute to hold classes for 180 days, notwithstanding strikes. School district had had a strike and state brought action to require the school district to comply with 180 day rule. Donna S. Weldon, Pennsylvania Dept. of Education, 33 Market Street, 9th Floor, Harrisburg 17108, 717-787-5500.

[H1] Schobert v. Marcase. Common Pleas Ct. 1978. Common Pleas Ct. Philadelphia Co., 1978, transferred to Commonwealth Ct. 1980. Motion to dismiss overruled Apr. 1981. 428 A.2d 739. Sp. Ed. Suit for reimbursement for private school tuition. Robert L. Seigle, Morelyn Plaza Bldg., Southampton 18966, 215-563-8090.

[H0] Shanberg v. Pennsylvania Secretary of Ed. Commonwealth Ct. 1979. Decision Mar. 1981, D. 426 A.2d 232. Sp. Ed. Whether student's IEP should make "best" use of student's abilities, in accordance with school's policies, or merely be "appropriate" for the child's needs. Laurence Saltzman; Kaplan, Saltzman, O'Malley & Catanese, 165 Whitehorse Avenue, Trenton, NJ 08610, 609-581-3800.

[S1] Shumock v. Pennsylvania Interscholastic Ath. Ass'n. U.S. Dist E.D. Aug. 1977. Decision 1978, D. Student sued for damages because the association ruled him ineligible for sports under the transfer rule. Joseph Kelley, Jr., Suite 1100, 1420 Walnut St., Philadelphia 19102, 215-735-6776.

[H6] Silvo v. Dept. of Ed. of Pittsburgh. Commonwealth Ct. July 1980. Sp. Ed. Contesting transfer of hearing impaired child from a private school where she is instructed orally to a school using sign language. Mark J. Goldberg; Goldberg & Webner, 215 Grant Bldg., Pittsburgh 15219, 412-281-9484.

[R2] Springfield School Dist. Delaware Co. v. Dept. of Ed. Commonwealth Ct. 1977. Decision 1978, M. Pennsylvania Supreme Ct. Apr. 1979. Decision Jan. 1979, M. 397 A.2d 1154. U.S. Supreme Ct. denied appeal June 1979. Whether a statute which requires the state to provide bussing for both public and non-public school students violates the establishment clause. Also whether distinguishing between profit and non-profit schools violates the equal protection clause. Robert T. Stepanko, 341 S. Bellefield Avenue, Pittsburgh 15213, 412-622-3780.

[O1] Steigelman v. School Dist. of Philadelphia. U.S. Dist. Ct. E.D. Nov. 1980. Class action. Suit for declaratory, injunctive, and monetary relief for damage caused by asbestos contamination of schools. Alan B. Epstein; Jablon, Epstein, Weisbord, & Wolf, 210 Washington Square, Philadelphia 19106, 215-922-7100.

[P2] Stubbs v. Kline. U.S. Dist. Ct. W.D. May 1978. Decision, D. 463 F. Supp. 110. Sp. Ed. Damage suit for loss of schooling when an epileptic child was expelled and no placement found for one year. Michael A. Donadee, Legal Service of Pittsburgh, Allegheny Building, 429 Forbes Avenue, Pittsburgh 15219, 412-255-6700.

[D5 D8] Sturtsman v. Altoona Area Schools. Common Pleas Ct. Mar. 1978. Suit for compensatory and punitive damages for strip search in front of others without probable cause and for expulsion without due process. John Woodcock, Jr., 507 Allegheny St., Hollidaysburg 16648, 814-695-9897.

[H6] Tokarcik v. Forest Hills School Dist. U.S. Dist. Ct. W.D. Mar. 1979. Decision Oct. 1980, P. CCA 3 Oct. 1980. Sp. Ed. Spinal Bifida child's parents request catheterization during school attendance. Whether that is a related service under 94-142. Edward R. Schellhammer, South Allegheny Legal Aid Inc., Swank Bldg., Johnstown 15901, 814-536-8917.

[S2] Trimble v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. June 1980. Decision 1980, D. Student contests ineligibility for sports under eight-semester rule. John Vetica, 2058 Gateway Center #2, Pittsburgh 15222, 412-765-2645.

[S2] Trofimuk v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Butler Co. 1978. Decision 1978, D. 7 D.C. 3d 712. Student challenges the ineligibility of 19-year-olds for high school sports. Saul Bernstein, 405 South Main Street, Butler 16001, 412-287-5176.

[S2] Urick v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Westmoreland Co. 1980. Preliminary order requiring hearing before the Association; then appeal from the Association ruling. Decision 1980, D. Student contests the defendant's eight semester rule for sports eligibility. J. Allen Roth, 537 Lloyd Avenue, Latrobe 15650, 412-537-0939.

[E1] Washington v. Pittsburgh School Dist. Common Pleas Ct. Allegheny Co. 1978. Class action. Action for desegregation of schools. Daniel M. Berger; Berger, Kapetan, Malakoff, & Meyers, 508 Law & Finance Bldg., Pittsburgh 15219, 412-281-4200.

[H1] Welsch v. Commonwealth Dept. of Ed. Commonwealth Ct. 1978. Decision Apr. 1979, D. 400 A.2d 234. Sp. Ed. Suit for costs of sending child to a private school. Lester J. Schaffer; Blank, Rome, Comisky & McCauley, 1200 Four Penncenter Plaza, Philadelphia 19103, 215-569-3700.

[H2] West Chester Area School Dist. v. Commonwealth Secretary of Ed. Commonwealth Ct. 1978. Decision May 1979, D. 401 A.2d 610. Sp. Ed. Parents opposed the placement in a residential program. The school appealed a decision by the hearing examiner for the parents. Ross A. Unruh; McElree, Harvey, Galliger and Unruh, 17 W. Miner Street, West Chester 19380, 215-436-0100.

[S2] White v. Pennsylvania Interscholastic Ath. Ass'n. Common Pleas Ct. Allegheny Co. 1979. Decision 1979, P. Commonwealth Ct. 1979. Decision Jan. 1981, P. Student sues to force the association to allow her to participate in sports beyond her eighth semester in school (because student was ill earlier). Edward V. Stevenson; Neighborhood Legal Services, 721 Braddock Avenue, Braddock 15104, 412-271-7876.

[D8] Zoll v. Elizabeth Forward School Dist. Common Pleas Ct. Oct. 1980. Settled. Suit contesting student's expulsion for possessing marijuana, claiming that the student was not sufficiently informed of right to appeal the school board's decision. William C. Knapp, Union Bank Bldg., 5th Avenue, McKeesport 15132, 412-672-2138.

RHODE ISLAND

[H9] Brady v. East Greenwich School Committee. U.S. Dist. Ct. 1980. Temporary restraining order. Should the state catastrophic health insurance funds or state education funds pay for the education of special education students? Sister Arlene Violet, R. I. Protection & Advocacy System, 70 S. Main St., Providence 02903, 401-831-3150.

[P2] Doe v. Providence School Committee. U.S. Dist. Ct. Dec. 1980. TRO granted 1981. Sp. Ed. Whether the normal expulsion procedures are appropriate for a handicapped student. Also alleged violation of school's own regulations, due process, equal protection and student's rights to free and appropriate education. Dianne Curran, Rhode Island Legal Services, Inc., 77 Dorrance St., Providence 02903, 401-274-2652.

[D1 D8] Doe v. School Committee of East Providence. U.S. Dist. Ct. Oct. 1980. Challenge to appropriateness of one year suspension for assaulting a teacher, the impartiality of the hearing and the release of student's name to the press. Carolyn Roundey, Rhode Island Legal Services, 77 Dorrance St., Providence 02903, 401-274-2652.

[D4] Dubois v. Wolferseder. Superior Ct. Providence Oct. 1980. Damage action for assault in corporal discipline. Joseph Capineri; Capineri & Crowley, 266 Dexter Street, Pawtucket 02860, 401-726-4440.

[S3] Dunn v. Rhode Island Interscholastic League. Superior Ct. 1978. Decision 1978, D. Plaintiff sued the League to change the sports classification of the school. Attorney unknown.

[E5] Fricke v. Lynch. U.S. Dist. Ct. May 1980. Decision May 1980, P. 491 F. Supp. 381. CCA 1 1980. Moot. Right of homosexual high school student to take male date to prom under First and Fourteenth Amendments. Lynette Labinger, 220 S. Main St., Providence 02903, 401-277-9300.

[E6 F1] Gomes v. Rhode Island Interscholastic League. U.S. Dist. Ct. Mar. 1979. Decision May 1979, P. CCA 1 May 1979. Trial Ct. injunction stayed May 1979. ELB 1026. Right of male to play on a female volleyball team when there is no male team. Larry Parks; Hanson, Cunan & Parks, 1210 Turks Head Bldg., Providence 02903, 401-421-2154.

[D8] William H. v. Portsmouth School Committee. U.S. Dist. Ct. Dec. 1980. Preliminary injunction denied 1981. Student expulsion--types of issues that the school district must examine before long-term expulsion can be used as a punishment. Alden Harrington, Rhode Island Legal Services, 77 Dorrance St., Providence 02903, 401-274-2652.

[S1] Herbert v. Rhode Island Interscholastic League. Superior Ct. Nov. 1980. Decision Dec. 1980, D. Rhode Island Supreme Ct. 1980. Suit for eligibility to play hockey under residency and transfer rules and contesting the validity and applications of the defendant's rules. Gerald DeMaria, 123 Dyer Street, Providence 02903, 401-272-3500.

[F1] Hurd v. Shunney. U.S. Dist. Ct. Jan. 1981. Damage suit, charging that discipline for "vulgar" gestures in pictures taken for the school yearbook violated the First Amendment guarantee of freedom of speech. Lynette Labinger, 220 S. Main Street, Providence 02903, 401-277-9300.

[H9] Irble v. Bevilaqua. U.S. Dist. Ct. Feb. 1979. Decision 1980, P. CCA 1 1980. Sp. Ed. Who should pay for education of the handicapped--state or local school district. Sister Arlene Violet, Rhode Island Protection & Advocacy System, 70 S. Main St., Providence 02903, 401-831-3150.

[H1] Jaworski v. Pawtucket School Committee. U.S. Dist. Ct. 1978. Sp. Ed. Suit to identify a dyslexic child as handicapped and provide him with private placement. George M. Prescott, 936 Smithfield Avenue, Lincoln 02865, 401-724-2400.

[P2] Johnson v. Bevilaqua. U.S. Dist. Ct. 1979. Sp. Ed. Whether hearing for children in state facility must meet the requirements of due process. Sister Arlene Violet, R. I. Protection & Advocacy System, 70 S. Main St., Providence 02903, 401-831-3150.

[H1] Colin K. v. Thomas School Dist. U.S. Dist. Ct. May 1980. Sp. Ed. Placement for learning disabled child--choice of public v. private programs. Patricia Beede, Rhode Island Legal Services, Newport 02903, 401-846-2264.

[H5] Lynch v. McManus. U.S. Dist. Ct. 1980. Sp. Ed. At what age does the right to publicly financed special education end? Robert Mann; Mann & Roney, 344 Wickenden St., Providence 02903, 401-421-9794.

[R2] Members of Jamestown School Committee v. Schmidt. U.S. Dist. Ct. 1978. Certified to Rhode Island Supreme Ct. Decision May 1979, D. 405 A.2d 16. Whether a state law providing transportation for students to parochial schools violates the First and Fourteenth Amendments and the state constitution. Amato A. Deluca; Revens & Deluca, 946 Centerville Rd., Warwick 02886, 401-822-2900.

[H1 H9] Oster v. Boyer. U.S. Dist. Ct. June 1977. Motion to dismiss denied. EHLR 551:152. ELB 923. Sp. Ed. Action to force school district to provide services and to pay for past and future services for emotionally handicapped children. Whether state or school district must pay for the services. George Prescott, 936 Smithfield Ave., Lincoln 02865, 401-724-2400.

[H2] Overton v. Affleck. U.S. Dist. Ct. 1979. Sp. Ed. Right of children who are wards of the state to have a least restrictive education placement. Sister Arlene Violet, R. I. Protection & Advocacy System, 70 S. Main St., Providence 02903, 401-831-3150.

[R2] Rhode Island Federation of Teachers v. Norberg. U.S. Dist. Ct. Aug. 1979. Decision 1979, P. CCA 1 1979. Decision Sept. 1980, P. 479 F. Supp. 1364. Whether Rhode Island statute granting state income tax deduction for tuition, textbook, and transportation expenses for religious school children violates the First Amendment. Lynette Labinger, 220 S. Main Street, Providence 02903, 401-277-9300.

[H1] Rodi v. State of Rhode Island. Family Ct. Providence Co. May 1979. Decision, P. Sp. Ed. Whether residential placement of student who was a ward of the state was in an appropriate school. Judith Fox, Rhode Island Legal Services, 77 Dorrance St., Providence 02903, 401-274-2652.

[D4] Shook v. City of Pawtucket. U.S. Dist. Ct. Apr. 1980. Damage suit for corporal punishment alleging that a teacher ordered a second grade pupil to lick up his spit in the schoolyard. William Y. Chaika, 925 Reservoir Avenue, Cranston 02910, 401-943-5070.

[H1 P1] Traficane v. Providence School Committee. U.S. Dist. Ct. 1977. Decision 1977. TRO, then settled. Sp. Ed. §1983 action. School refused to grant a hearing on a private school placement. George M. Prescott, 936 Smithfield Avenue, Lincoln 02865, 401-724-2400.

[H5] Verrechione v. North Providence School Dist. U.S. Dist. Ct. 1979. Sp. Ed. Whether a child can be so handicapped and ill that a school system does not have to educate her because it would be detrimental to the student's health. Sister Arlene Violet, R. I. Protection & Advocacy System, 70 S. Main St., Providence 02903, 401-831-3150.

SOUTH CAROLINA

[O1] Baker v. McAndrews. Cir. Ct. Aug. 1980. Class action. Plaintiffs contest procedures for selecting students for a gifted and talented program, claiming that the school discriminated by giving some, but not all, students remedial reading before the selections were made. Alvin Hinkle, Palmetto Legal Services, 1316 Main Street, Columbia 29202, 803-799-9668.

[H1] Butler v. Kershaw Co. Schools. Cir. Ct. Dec. 1979. Withdrawn. Sp. Ed. Whether local school was equipped to meet the needs of a handicapped child or whether the child should be sent to a special school. George W. Speedy, 1 Lafayette Ct., Camden 29026, 803-432-6034.

[H1] Dunn v. Greenville Co. School Dist. U.S. Dist. Ct. 1980. Sp. Ed. Severely emotionally handicapped child seeking residential placement. Will P. Dunn, Jr., 400 Pettigru Street, Greenville 29601, 803-242-1303.

[H1] Greenville Co. Schools v. Woodside. Cir. Ct. 1979. Decision 1980, P. Sp. Ed. Appeal from hearing officer's decision that placement offered by school district was not adequate. Douglas F. Dent, Bankers Trust Plaza, Box PP4, Greenville 29601, 803-232-1856.

[H1] Hunter v. Lancaster Co. School Dist. Family Ct. Lancaster Co. July 1980. Decision 1981, P. Cir. Ct. Mar. 1981. Sp. Ed. Whether school district could provide appropriate special education for handicapped child or whether residential placement was necessary. Brooks Goldsmith; Thomas, Rushing, Goldsmith & Folks, P.O. Box 947, Lancaster 29720, 803-285-6986 and Joy R. Mann, South Carolina P & A System for Handicapped, 2360-A Two Notch Rd., Columbia 29204, 803-254-1600.

[H1 P1] Charles J. v. Johnson. U.S. Dist. Ct. Feb. 1979. Dismissed for failure to exhaust administrative remedies. Sp. Ed. Suit alleging that emotionally handicapped child had been denied appropriate placement and education, including intermittent exclusion from school. Ralph J. Wilson, Neighborhood Legal Assistance Program, P.O. Box 1819, Conway 29526, 803-248-6376.

[H1] Lexington School Dist. No. 5 v. Seymour. U.S. Dist. Ct. 1980. Decision 1980, P. CCA 4 1980. Sp. Ed. An appeal from a hearing examiner's decision that a handicapped child be placed in an out-of-state school at the school district's expense. Bruce Davis, 1704 Fair Street, Camden 29020, 803-432-2880.

[H0] Lockett v. Karesh. U.S. Dist. Ct. Charleston Div. Apr. 1980. 14 CHR 570. Sp. Ed. Rights of natural mother, where child under control of state welfare agency became hyperactive and was moved to a school 200 miles away without notice to the mother. Richard J. Whitaker, Neighborhood Legal Assistance Program, 1606 King St., Beaufort 29902, 803-524-8295.

[P2] Lynwood S. v. Horry Co. School Dist. U.S. Dist. Ct. Oct. 1980. Withdrawn. Sp. Ed. Plaintiff alleged the child is educable mentally handicapped, but should also be classified as emotionally handicapped. Also alleged that the child was suspended and expelled without a proper determination of whether his conduct was related to the alleged emotionally handicapped condition. Due process challenge. Orrie E. West, Neighborhood Legal Assistance Program, P.O. Box 1819, Conway 29526, 803-248-6376.

[H1] Massie v. Lexington Co. School Dist. No. 5. U.S. Dist. Ct. 1979. Decision 1980, D. Failure to exhaust administrative procedures. Sp. Ed. Plaintiff alleged child needed private, residential placement, placed the child, and asked the school district for reimbursement. James Coffas; Kosko & Coffas, Box 12005, Columbia 29211, 803-771-6565.

[P2] Pamela N. v. Saluda School System No. 1. U.S. Dist. Ct. Apr. 1981. Sp. Ed. Contesting expulsion on the grounds that special education due process procedures must be followed. Herbert E. Buhl III; Buhl, Primus & Bagby, 533-A Harden Street, Columbia 29205, 803-799-3767.

[B3] Plumley v. Greenville Co. School Dist. U.S. Dist. Ct. 1980. Decision 1980, P. Action to require a school district to send school bus five miles up a mountain so that the children in one family could attend school. Herbert E. Buhl III, 533-A Harden Street, Columbia 29205, 803-799-3767.

[P2] Donny R. v. Wood. U.S. Dist. Ct. July 1977. Settled. Sp. Ed. Suit for injunction and damages, claiming that plaintiff's expulsion violated section 504 because it was due to his handicap. Herbert E. Buhl III; Buhl, Primus & Bagby, 533-A Harden Street, Columbia 29205, 803-799-3767.

[H1] Seymour v. Lexington Co. School Dist. 5. Cir. Ct. Lexington Co. Apr. 1980. Decision Apr. 1980, P. Sp. Ed. Suit to continue placement in out-of-state school pending administrative hearings. (The school appealed the administrative decision to the federal court. See Lexington case, supra.) Joy R. Mann, South Carolina P & A System for Handicapped, 2360-A Two Notch Rd., Columbia 29204, 803-254-1600.

[H7] South Carolina Ass'n. for Retarded Citizens v. Williams. U.S. Dist. Ct. Aug. 1979. Withdrawn. Class action. Sp. Ed. Length of school year for handicapped children. Joy R. Mann, South Carolina P & A System for Handicapped, 2360-A Two Notch Rd., Columbia, 29204, 803-254-1600 and Norman Rosenberg, Mental Health Law Project, Washington, D.C. 202-467-5730.

[E1] United States v. Charleston Co. School Dist. U.S. Dist. Ct. Jan. 1981. Student and faculty desegregation case alleging that the dual system of education is still in effect. Michael H. Sussman, General Attorney, Civil Rights Division, Room 7537, Department of Justice, Washington, D.C. 20530, 202-633-4755.

[B4] Washington v. Salisbury. Cir. Ct. June 1978. Decision July 1980, P. South Carolina Supreme Ct. 1980. 13 CHR 37. Class action. Right to free education in summer school; summer school tuition challenged on federal and state constitutional grounds. Richard Whitaker, Neighborhood Legal Assistance Program, 1606 King St., Beaufort 29902, 803-524-8295.

[B1] Weller v. ____________. Cir. Ct. Charleston Co. Jan. 1981. TRO Jan. 1981. Suit to retain a student's placement in her present school while the parents contest her transfer to another school in an administrative appeal. Attorney unknown.

[P2] Young v. Georgetown Co. Schools. U.S. Dist. Ct. Charleston Div. July 1979. Sp. Ed. Plaintiff charged that child was suspended without the due process required under 94-142. Ralph Wilson, Neighborhood Legal Assist. Program, P.O. Box 1819, Conway 29526, 803-248-6376.

SOUTH DAKOTA

[B1] Barber v. New Underwood School District No. 51-3. Cir. Ct. Hughes Co. 1979. Whether state superintendent has authority to overrule a local school board in matters of assigning students outside the district. Attorney unknown.

[D8] Cornelius v. United States. U.S. Dist. Ct. 1979. Settled. Suspension of an Indian child from a Bureau of Indian Affairs school is contested on due process grounds. Timothy La France, Indian Law Support Center, 1506 Broadway, Boulder 80302, 303-447-8760.

[B2] Eggena v. Huron School Dist. Cir. Ct. Beadle Co. Apr. 1980. Decision 1980, P. Parents contest school closing claiming that the school board did not follow the correct procedures. Richard Casey, P.O. Box 284, Madison 57042, 605-216-6677.

[R2] Elbe v. Hansen. U.S. Dist. Ct. 1980. Class action. Suit to enjoin the education department from including religious schools in the text book loan program. Lee Boothby; Americans United for Separation of Church and State, 8120 Fenton Street, Silver Spring, MD 20910, 301-589-3707.

[R2] Florey v. Sioux Falls School Dist. No. 49-5. U.S. Dist. Ct. Nov. 1978. Decision Feb. 1979, D. 464 F.Supp. 911. CCA 8. Decision Apr. 1980, D. 619 F.2d 311. Cert. denied 1980. Whether the Christmas programs of the public schools violated the First Amendment. Stephen Pevar; ACLU Mountain States Regional Office, 3570 E. 12th Ave., Denver, CO 80206, 303-321-5901.

[B1] Halverson v. Ramona School Dist. Cir. Ct. Lake Co. 1978. Decision 1978, D. Parents brought suit to change the school district boundary so their children could change schools. Richard Ericsson; Ericsson, Spencer, Ericsson & Leibel, P.O. Box 406, Madison 57402, 605-256-4597.

[S3] Hoover v. South Dakota High School Activities Ass'n. Cir. Ct. Minnehaha Co. Feb. 1981. Class action. Decision Mar. 1981, P. Suit to require defendant to establish a state high school football championship; the suit is based on defendant's rules, state statutes, and equal protection grounds. Anthony L. Weisensee, 108 N. Phillips Ave., Sioux Falls 57102, 605-335-0000.

[D8] Lightfield v. Waubay School Dist. Cir. Ct. 1980. Decision Oct. 1980, D. Whether there is a requirement for written "findings of fact" for a school board to expel a student, under the state Student Due Process Code. John L. Maynes; Maynes, Tonner, Maynes & Tobin, P.O. Box 759, Aberdeen 57401, 605-225-5772.

[E7] Oster v. Kneip. Cir. Ct. Davison Co. Oct. 1977. School children contend that inequality in school financing violates equal protection. William Srstka; Duncan, Olinger & Srstka, 117 E. Capitol, Pierre 57501, 605-224-8851.

[B2] Revier v. School Bd. of Sioux Falls. Cir. Ct. Minnehaha Co. 1980. Decision 1980, D. South Dakota Supreme Ct. June 1980. Decision 1980, P. 300 N.W. 2d 55, 304 N.W. 2d 699. Parents contest a school closing on the ground that the action was not submitted to a vote of the people. Charles L. Dorothy; Dorothy, Craig, Palmer & Harris, 805 South Minnesota, Sioux Falls 57102, 605-332-6803.

[B1] Shumaker v. Canova School Dist. Cir. Ct. Miner Co. 1980. Decision Feb. 1981, P. South Dakota Supreme Ct. Apr. 1981. Appeal by school district from a decision by the education agency granting parents a modification in school district boundary, thus transferring their children from one school to another. Jerome B. Lammers; Lammers, Lammers, Kleibacker & Casey, P.O. Box 284, Madison 57042, 605-256-6677.

[H3] Branson v. Knox Co. Bd. of Ed. Chancery Ct. Knox Co. Mar. 1980. TRO Mar. 1980. Decision, Mar. 1980, D. Ct. of Appeals Apr. 1980. Decision Nov. 1980, P. Sp. Ed. Suit to contest school decision to transfer a bright, but emotionally disturbed child to Youth Intervention Center, without testing. Carl W. Eshbaugh; Univ. of Tennessee Legal Clinic, 1505 W. Cumberland Ave., Knoxville 37916, 615-974-4141.

[D1 D8] Brown v. Tipton Co. Bd. of Ed. U.S. Dist. Ct. W.D. Mar. 1979. Consent decree Apr. 1979. 13 CHR 390. ELB 1045. Challenge to summary expulsion of two students for getting into trouble outside of school. Rita Stotts; Memphis State Univ. Legal Clinic, 46 N. 3rd St., Memphis 38103, 901-526-7235.

[H1] Castro v. Sullivan Co. Bd. of Ed. Chancery Ct. Sullivan Co. 1977. Decision 1978, M. Ct. of Appeals 1978. Decision 1979, D. Sp. Ed. Appeal from hearing officer's decision approving school's proposal to cease paying for residential placement of retarded deaf child and to transfer child to the state school for the deaf. W. Carr Hagan, Jr., 309 Commerce St., Kingsport 37660, 615-246-7261.

[H1] City of Cleveland v. Rayburn. Chancery Ct. Bradley Co. 1979. Moot. Sp. Ed. Appeal from hearing officer's decision that the local school system did not have sufficient facilities and personnel to provide appropriate education for an emotionally disturbed child and that placement in a special school was needed. Harlen Painter; Bell & Associates, P.O. Box 1169, Cleveland 37311, 615-476-8542.

[O1] Curve Elementary School P.T.O. v. Lauderdale City School Bd. Chancery Ct. Lauderdale Co. Feb. 1979. Settled. 14 CHR 359. Whether students could get a decent education in a dilapidated school building with leaking roof, inadequate lighting and other problems. Debra F. Lee; Central Arkansas Legal Services, 1400 W. 5th St., Pine Bluff, AR 71601, 501-536-9006.

[B2] Curve Elementary School P.T.O. v. Lauderdale City School Bd. Chancery Ct. Lauderdale Co. Apr. 1979. Decision May 1979, D. Ct. of Appeals June 1979. Decision Dec. 1979, P. Whether the School Board could decide in secret to close a small school, without any public hearing. Debra F. Lee; Central Arkansas Legal Services, 1400 W. 5th St., Pine Bluff, AR 71601, 501-536-9006.

[H1] In re Hall. Chancery Ct. Hawkins Co. 1980. Settled. Sp. Ed. Appropriateness of residential placement and responsibility for cost. Jack Derryberry, Jr., State Planning Office, 505 Deadrick St., Nashville 37219, 615-741-2657.

[O1] Hester v. Cox. Chancery Ct. Davidson Co. 1980. Withdrawn. Action to restrain Commissioner from withholding funds from school, when school declined to join in consolidated school district. Joseph M. Boyd, Jr.; Boyd & Boyd, 403 Masonic St., Dyersburg 38024, 901-285-8900.

[O1] Hughes v. Cox. U.S. Dist. Ct. M.D. Sept. 1980. TRO denied Sept. 1980. Suit to restrain the Commissioner from withholding funds from a school system which did not choose to become part of a consolidated school district. Also (by amendment) to restrain the county from issuing school bonds without including the schools which did not choose to join the consolidated district.

Joseph M. Boyd, Jr.; Boyd & Boyd, 403 Masonic St., Dyersburg 38024, 901-285-8900.

[P2] Ivy v. Bd. of Ed. of City of Jackson. Chancery Ct. Madison Co. Aug. 1980. Settled. Sp. Ed. Appeal, by writ of certiorari, of school board decision to expel handicapped student. Charge that board should have followed special education change of placement procedures. David J. Rentsch; West Tennessee Legal Services, P.O. Box 2066, Jackson 38301, 901-423-0616.

[H1] King v. Metro Bd. of Ed. Chancery Ct. Davidson Co. Aug. 1978. Settled. Sp. Ed. Appeal from hearing officer's decision that a slightly mentally retarded and physically handicapped child did not need to be transferred from the public school to the Institute of Learning Research. Homer R. Ayers, 100 New Long Hollow Pike, Goodlettsville 37072, 615-859-2500.

[H1] LaValley v. Loftis. U.S. Dist. Ct. E.D. Feb. 1981. Settled. Sp. Ed. Action by parents against the Department of Mental Health for declaratory judgment to place handicapped child in a private facility in accordance with hearing officer's decision. Also action for reimbursement and for damages. Jon Seaborg, 516 Lookout St., Chattanooga 37403, 615-756-0003.

[H1 P1] In the Matter of Long. Chancery Ct. Hamilton Co. Oct. 1980. Settled. Sp. Ed. Whether a due process hearing officer has the authority to decide that a child must be admitted to a state residence facility. Richard L. Brown, Chief Counsel; Department of Mental Health, 505 Deadrick St., Nashville 37219, 615-741-2722.

[H1 H7] Martinson v. Newman. Chancery Ct. Davidson Co. Aug. 1978. Sp. Ed. Proper placement of autistic child when residential facility terminated services and local school wanted to bring child back. Also reimbursement for expenses, and question whether schooling should be provided for 9 months or 12 months for this type of handicap. Harry Wiersema, Jr., 713 Market St., Knoxville 37901, 615-524-7496.

[H1 P1] Ogden v. Kelly. Chancery Ct. Williamson Co. 1977. Decision 1978, D. Ct. of Appeals 1978. Decision, D. Supreme Ct. 1979. Decision Mar. 1980, P. 594 S.W.2d 702. After chancery court decided that the State Board could not terminate out-of-state placement without a due process hearing, the question became whether the hearing officer can investigate, ex parte, without notice, or is bound by the State Uniform Administrative Procedure Act. George E. Barrett; Barrett, Kniffen & Blackburn, 217 Second Ave. N., Nashville 37201, 615-244-2202.

[S1] Phillips v. Tennessee Secondary School Activities Ass'n. Chancery Ct. Scott Co. 1979. Decision 1979, P. Ct. of Appeals 1979. Decision Nov. 1979, D. Student contests defendant's ruling that he is ineligible after changing schools. Harold G. Jeffers, 310 North Main Street, Oneida 37841, 615-569-8543.

[D4 D6 D8 D9] Richmond v. Bd. of Ed. Haywood Co. Chancery Ct. Haywood Co. Apr. 1979. Decision June 1980, D. Whether the Board had the authority to prescribe punishment of six licks, or three days of suspension with grade reduction, after an informal hearing. Also action to expunge records. Gary Banasek; West Tennessee Legal Services, P.O. Box 2066, Jackson 38301, 901-423-0616.

[H1] Richardson v. State Bd. of Ed. Chancery Ct. Davidson Co. 1978. Sp. Ed. Suit to compel local school to pay for residential placement of handicapped child. Robert B. Pyle, 4220 Nolensville Road, Nashville 37211, 615-834-4300.

[D5] Smith v. Morgan Co. School Bd. U.S. Dist. Ct. Feb. 1981. Class action. Damages sought, claiming that the school's blanket search of students and lockers (which was without results) violated the Fourth Amendment because it was without probable cause. Philip P. Durand; Ambrose, Wilson & Grimm, Valley Fidelity Bank Building, Knoxville 37902, 615-546-3631.

[D1 D5] Sturm v. Knox Co. U.S. Dist. Ct. Dec. 1980. Decision Apr. 1981, D. Suit for damages for suspending a girl after marijuana ashes were found in a car she drove to school, claiming illegal search of the car and insufficient evidence that the student smoked the marijuana. Philip P. Durand; Ambrose, Wilson, Grimm, Valley Fidelity Bank Building, Knoxville 37902, 615-546-3631.

[D1 D8] Teague v. Bradley Co. School Bd. U.S. Dist. Ct. 1981. Class action. Damage and injunction suit contesting a student's suspension for charges brought in juvenile court, alleging that the schools cannot suspend students for activity taking place outside the schools and that the students were not afforded a proper hearing. Bert H. Bates; Logan, Bates & McCoin, P.O. Box 191, Cleveland 37311, 615-476-2251.

[H6] Todd v. School Bd. of Hamilton Co. U.S. Dist. Ct. Mar. 1980. Decision Sept. 1980, D. Sp. Ed. Whether the school board was furnishing appropriate transportation and other services to a handicapped child. Robert T. Byrd, P.O. Box 705, Cleveland 37311, 615-472-0910.

[D8] Turner v. Bd. of Ed. of City of Humboldt. Law and Equity Ct. Gibson Co. Dec. 1980. Writ of certiorari to review a brief school board hearing at which student was suspended for the balance of the school year. David J. Rentsch; West Tenn. Legal Service, P.O. Box 2066, Jackson 38301, 901-423-0616.

[D3 D9] Ward v. Robinson. U.S. Dist. Ct. E.D. 1978. Decision 1978, D. 496 F. Supp. 1. CCA 6 decision July 1980, D. Whether a student has a constitutional right to a due process hearing before dismissal from a basketball team. Charlton R. DeVault, Jr., 211 Broad St., Kingsport 37660, 615-246-3601.

[H1] Werner v. Madison Co. Bd. of Ed. Chancery Ct. Madison Co. 1978. Settled. Sp. Ed. Action for pendency in residential placement during administrative proceedings and appeal from hearing officer's decision. Jack Derryberry, Jr.; State Planning Office, 505 Deadrick St., Nashville 37219, 615-741-2657.

[R2] Wiley v. Franklin. U.S. Dist. Ct. E.D. Jan. 1978. Decision Feb. 1979, P and M. 468 F. Supp 133. Decision Aug. 1979, approved revised plan. 474 F. Supp. 525. Decision 1980, P. 497 F. Supp. 390. Whether short, elective bible classes, once a week in the public schools, financed by an outside organization, violated the establishment clause of the First Amendment. How the classes could be conducted to make them permissible. John L. Alley, 4701 Hixson Pike, Hixson 37343, 615-877-1345.

[O1] Yancey v. Davis. Chancery Ct. Crockett Co. Jan. 1981. Voluntarily dismissed and added, by amendment, to Hughes v. Cox, supra. Action to restrain county from issuing school bonds without including two independent school systems which declined to be parties to a consolidation. Joseph M. Boyd, Jr.; Boyd & Boyd, 403 Masonic St., Dyersburg 38024, 901-285-8900.

TEXAS

[E3] In Re Alien Children Ed. Litigation. U.S. Dist. Ct. S.D. Sept. 1978. Class action. Decision July 1980, P. 501 F. Supp. 544. CCA 5 1980. Decision Feb. 1981, P. ______ F2d _____. Whether a state law not allowing free public education for unregistered alien children violates the equal protection clause. (This case is a consolidation of many cases filed throughout Texas.) Peter Schey, National Center for Immigrants Rights, 1550 W. 8th St., Los Angeles, CA 90017, 213-487-2531.

[B1] Arrendondo v. Brockette. U.S. Dist Ct. S.D. Dec. 1977. Class action. Decision Dec. 1979, D. 482 F. Supp. 212. CCA 5 Jan. 1980. Suit contesting requirements that public school students must pay tuition unless living in the district with a parent or guardian. Edward Tuddenham, Texas Rural Legal Aid, 1406 West Highway, P.O. Box 2223, Hereford 79045, 806-364-3961.

[H1] Becky B. v. Douglas. U.S. Dist. Ct. N.D. Oct. 1979. Withdrawn. Sp. Ed. Autistic child sought residential placement. Edward B. Cloutmann, P.O. Box 47972, Dallas 75247, 214-630-3672.

[P2] Wilson B. v. Manor Ind. School Dist. U.S. Dist. Ct. W.D. Aug. 1978. Settled. Sp. Ed. Whether the school district must provide a due process hearing when expelling a mentally retarded teenager for disrupting class. Also question of the district's obligation to educate a handicapped child furloughed from a state institution to foster parents who reside in the district. James Todd; Advocacy Inc., 5555 N. Lamar St., Suite K-109, Austin 78751, 512-475-5543.

[D5] Bazaldua v. Jacobs. U.S. Dist. Ct. S.D. 1979. Withdrawn. Contesting search of students, alleging lack of probable cause. The students were suspended from school. Gerald A. Garcia, Texas Rural Legal Aid, 305 East Jackson St., Harlingen 78550, 512-423-3111.

[D4] Bivens v. Dallas Ind. School Dist. U.S. Dist. Ct. N.D. Feb. 1981. Damage action for excessive physical discipline and unrelated physical attack on students by school personnel. Roger Albright, P.O. Box 47972, Dallas 75247, 214-630-3672.

[S3] Blackwell v. Texas University Interscholastic League. U.S. Dist. E.D. Apr. 1979. Decision 1979, P. Tennis team was not allowed to play in a state tournament because it missed a regional tournament (because of a flood). Robert Q. Keith; Mehaffy, Weber, Keith & Gonsoulin, 1400 San Jacinto Building, Beaumont 77701, 713-835-5011.

[S2 S4] Blue v. University Interscholastic League. U.S. Dist. Ct. N.D. Nov. 1980. Class action. Decision Nov. 1980, D. 503 F. Supp. 1030. Contesting ruling that students and their team were ineligible for violation of the age limit rule, claiming lack of hearing. Cornel Walker; Banner and Walker, P.O. Box 731, Greenville 75401.

[H2] Booker v. Estes. U.S. Dist. Ct. N.D. 1977. Class action. Sp. Ed. Suit for damages for due process violations when the school placed a student in a special education class. John Jordan, 3200 Maple Street, Suite 314, Dallas 75201, 214-744-3621.

[E3] Brownsville Ind. School Dist. v. Alien Children. U.S. Dist. Ct. S.D. 1980. Ex parte TRO. On hearing, injunction denied. Allegation by school district that the unique situation of Brownsville, being on the border, required an injunction, paralleling state statute, requiring children to prove citizenship in order to be admitted to school without paying tuition. Tony Martinez, 901 E. Madison Street, Brownsville 78520, 512-546-7159.

[S2] Byrd v. University Interscholastic League. U.S. Dist. Ct. N.D. Nov. 1980. Decision Nov. 1980, D. 503 F. Supp. 1030. Contesting ineligibility of a student for sports for being over 19 years old. (This case was joined with Blue v. U.I.L.) Martin Hotchkiss, 1301 Main St., Dallas 75202, 214-651-1200.

[H6 P1] Charles C. v. Kountze Ind. School Dist. U.S. Dist. Ct. E.D. Sept. 1978. Settled. Sp. Ed. Challenged the child's individual plan on the grounds that the school did not provide sufficient services. Also challenged the due process procedures. James Makin, 1522 Highway 365, Neederland 77627, 713-722-0276.

[P2] Carter v. Dallas Ind. School Dist. U.S. Dist. Ct. N.D. Feb. 1981. Sp. Ed. Suit contesting discipline of handicapped child and contesting the due process procedures on the appeal to the State Board of Education. Nita McKellar, Dallas Legal Services Foundation, 810 Main Street, Dallas 75202, 214-742-1631.

[D1 D8] Crutchfield v. Sunray Ind. School Dist. Dist. Ct. Travis Co. June 1980. Whether school board had authority to impose a suspension for remainder of school year for verbal altercation with teacher; whether the procedures were in accord with due process requirements. Verne Phillips, P.O. Box 5970, Houston, 512-458-1359.

[R2 R3] Jane D. v. Aldine Ind. School Dist. U.S. Dist. Ct. S.D. Nov. 1980. Suit to prohibit the school song which includes "In Jesus' name we pray, Amen," on grounds that it is a prayer in school. Suit to stop distribution of bibles in school by the Gideon Society. David Eisen, 605 Fannin St., Houston 77002, 713-228-4109.

[H2 S2] Doe v. Marshall. U.S. Dist. Ct. S.D. 1978. Decision 1978, P. 459 F. Supp 1190. CCA 5 Decision 1980, P. 622 F.2d. 118. Petition for cert. Sp. Ed. Suit by handicapped child to become eligible for sports in his school after the school had ruled him ineligible because he was living with his grandparents and the parents lived in another school district. Matthew M. Horowitz; University of Houston Law School, 4800 Calhoun St. Houston 77004, 713-749-7650.

[E3] Doe v. Plyler. U.S. Dist. Ct. E.D. 1977. Class action. Decision Sept. 1978, P. CCA 5 decision Oct. 1980, P. 628 F.2d 448. Suit contesting the Texas policy of excluding undocumented alien children from schools. Peter Roos, Mexican American Legal Defense Fund, 28 Geary Street, San Francisco, CA 94108, 415-981-5800.

[S2] Edcouch-Elsa Ind. School Dist. v. University Interscholastic League. Dist. Ct. Hidalgo Co. 1981. Decision 1981, P. The defendant disqualified a basketball team because of intra-district play, and the school contended that the defendant's rules only prohibited play outside the district in this instance. Richard R. Alamia; Pena, McDonald, Prestia & Zipp, 600 South Closner Avenue, Edenburg 78539, 512-383-5311.

[H1 F4] George F. v. Spring Branch Ind. School Dist. U.S. Dist. Ct. S.D. 1980. Sp. Ed. Suit for reimbursement for cost of residential placement (after school refused to grant residential placement). Also a privacy of records claim, because school officials sent case records to local government officials. J. Patrick Wiseman; Nelson and Mallett, 3203 Main Street, Houston 77002, 713-526-1778.

[H1] Robert Earl F. v. Texas Ed. Agency. U.S. Dist. Ct. N.D. May 1981. Sp. Ed. Suit for payment for residential placement. Nita McKellar, Dallas Legal Services Foundation, 810 Main Street, Dallas 75202, 214-742-1631.

[E1] Fort Bend Ind. School Dist. v. City of Stafford. U.S. Dist. Ct. 1978. Decision Apr. 1978, P. 449 F. Supp. 375. CCA 5 decision Apr. 1979, D. 594 F. 2d 73. Whether a "break away" school district can be permanently enjoined from operation since it would adversely affect the parent district's desegregation plan. Michael K. Swan; Reynolds, Allen & Cook, 1100 Milam Bldg., Houston 77002, 713-651-1300.

[D8] Galveston Ind. School Dist. v. Booth. Dist. Ct. Galveston Co. 1979. Decision 1979, P. Ct. of Civil Appeals 1979. Decision Oct. 1979, P. 590 S.W.2d 553. A student contests expulsion for possession of marijuana on the ground that the school's guidelines did not state that such offense would lead to an expulsion and that the school did not follow its own procedures for hearings. G. William Rider; Rider & Wilson, 23rd & Church, Galveston 77550, 713-763-3531.

[E8 S1] Garcia v. University Interscholastic League. U.S. Dist. Ct. W.D. Nov. 1978. Withdrawn. Contesting rule that when student moves from one school to another he is ineligible for a year; whether the rule constitutes discrimination against migrants. Richard Gonzales, Texas Rural Legal Aid, 309 Canter Street, P.O. Box 964, Del Rio 78840, 512-775-1535.

[S2] Garza v. Byington. Dist. Ct. Brooks Co. Mar. 1980. TRO Apr. 1980. Ct. of Appeals 1980. Suit contesting a rule making a student ineligible for school sports if he plays sports outside the state. Fidencio G. Garza, 500 Paredes Line Road, Suite 4, Brownsville 78521, 512-541-6042.

[S2] Green v. University Interscholastic League. Dist. Ct. 1979. Sports eligibility. Douglas M. Kennedy, 1 Gaslight Square, Corpus Christi 78404, 512-881-9643.

[H2] Griggs v. Bowen. U.S. Dist. Ct. W.D. Jan. 1981. Class action. Sp. Ed. Children in an intermediate care facility for the mentally retarded sue for education to be provided by school district (most children are requesting admission to public schools). Renea Hicks, Advocacy Inc., 5555 N. Lamar St., Suite K-109, Austin 78751, 512-475-5543.

[S2] Guckian v. Marshall. U.S. Dist. Ct. S.D. 1978. Decision 1978, P. The University Interscholastic League ruled a girl ineligible for sports for playing in a post-season non-school game. Bill Blackburn, The 600 Building, Corpus Christi 78473, 512-883-1993.

[H4 H6 P1] Marvin H. v. Austin Ind. School Dist. U.S. Dist. Ct. W.D. Jan. 1981. Sp. Ed. Child's right to special education--refusal of school to classify the child as emotionally disturbed. Whether plaintiff can file in court without going through due process procedures when immediate aid is needed. James Todd; Advocacy Inc., 5555 N. Lamar St., Suite K-109, Austin 78751, 512-475-5543.

[H2 Bl] Hairgrove v. Azle Ind. School Dist. U.S. Dist. Ct. N.D. 1979. Class action. Moot. Sp. Ed. Whether retarded children in a private residential facility should be placed in the public schools of the district where the facility is located (the school argued that the children were not residents of the district for purposes of schooling). Arthur Brender, 930 Bank of Commerce Building, Fort Worth 76102, 817-334-0171.

[D7] ________________ v. Hale Center School Bd. U.S. Dist. N.D. 1977. Settled. The school refused to permit a student to be valedictorian because he was found drinking at a school picnic. J. Orvil Smith; Crenshaw, Dupree & Milam, Box 1499, Lubbock 79401, 806-762-5281.

[D3] Harlandale Bandboosters v. Harlandale Ind. School Dist. Dist. Ct. Bexar Co. Mar. 1981. Class action. Band students were suspended from band and given F grades for band after demonstrating for dismissal of the band leader. Luis M. Segura, Law Offices of Luis M. Segura, 523 South Main Street, San Antonio 78204, 512-225-6191.

[D4] Hernandez v. Lara. Dist. Ct. Willacy Co. 1979. Damage suit against teacher for having injured a student's hand in corporal punishment with a wooden paddle. Robin Alexander, Texas Rural Legal Aid, 305 East Jackson, Harlingen 78550, 512-423-3111.

[H6 Pl] Hopkins v. Aldine Ind. School Dist. U.S. Dist. Ct. S.D. 1979. Sp. Ed. Parents contested the power of the school board to review the hearing examiner's decision and requested an oral communication program instead of a total communication program. J. Patrick Wiseman; Nelson and Mallett, 3303 Main Street, Houston 77002, 713-526-1778.

[D5] Horton v. Goose Creek Ind. School Dist. U.S. Dist. Ct. S.D. 1980. Suit to stop use of sniffer dogs in high school. Val Perkins, 1100 Esperson Building, Houston 77002, 713-237-2021.

[D8] Houston v. Sheldon Ind. School Dist. Dist. Ct. Harris Co. Apr. 1981. Decision Apr. 1981, D. Suit for injunction to have children reinstated pending hearing before the Texas Education Agency on an appeal from expulsion for drinking. Joellen Snow, 1110 Autrey Street, Houston 77006, 713-528-4949.

[Sl] Hughes v. University Interscholastic League. U.S. Dist. Ct. S.D. Sept. 1980. Moot. Suit contesting transfer rule for sports eligibility. Damon Capps, Capitol National Bank Building, 1300 Main Street, Houston 77002, 713-858-8101.

[Hl Pl] Peter I. v. Klein Ind. School Dist. U.S. Dist. Ct. S.D. Aug. 1980. Preliminary injunction. Sp. Ed. Suit for 24 hour residential placement. Challenges authority of the Commissioner of Education and the State School Board to review hearing officers' decisions. J. Pactric Wiseman; Melson and Mallet, 3303 Main St. Houston 77002, 713-526-1778.

[Pl] Laura J. v. Pearland Ind. School Dist. U.S. Dist. Ct. S.D. May 1981. Suit for residential placement; challenge to the Department of Education's authority to overturn hearing examiner's decision. Sarah Scott, 917 Franklin St., Houston 77006, 713-228-9879.

[El Bl] Jackson v. Waco Ind. School Dist. Dist. Ct. McLennan Co. Dec. 1980. Class action. Temporary injunction Dec. 1980. Whether children can be automatically denied admission to local schools because they are not living.

with parents or in a court-ordered relationship; whether such admissions would violate the desegregration decree for Waco schools. John C. Cowley, Waco-McLennan County Legal Aid, 214 North 6th Street, Waco 76701, 817-752-5596.

[E6] Jacobs v. Marshall. U.S. Dist. Ct. W.D. Aug. 1978. Class action. Suit to enforce the regulations under Title IX which would permit a girl to play on the boys' baseball team where there is no girls' team. Becky Beaver; Orr, Davis, Sanders, and Beaver, 812 San Antonio St., Austin 78701, 512-474-5791.

[D5] Jones v. Latexo Ind. School Dist. U.S. Dist. Ct. E.D. June 1980. Preliminary ruling June 1980, P. 499 F. Supp. 223. Whether suspension based on information found by random, dog-sniffing searches violates the Fourth Amendment. Pat Mueller, East Texas Legal Services, P.O. Box 1069, Nacogdoches 75961, 713-560-1850.

[B1] Joyner v. Manor Ind. School Dist. Dist. Ct. Travis Co. Nov. 1980. Injunction. Nov. 1980. Whether school can refuse to admit student living in district, but not with guardian or natural parent. Xavier Medina, Legal Aid Society of Central Texas, 500 Perry Brooks Building, 8th and Brazos, Austin 78701, 512-476-7244.

[H1] Kent v. Amarillo Ind. School Dist. U.S. Dist. Ct. N.D. Mar. 1980. 14 CHR 1187. Sp. Ed. Multi-handicapped child seeks damages and placement in a private residential facility at school district expense. James Todd, Advocacy Inc., 5555 N. Lamar St., Suite K-109, Austin 78751, 512-475-5543.

[H6] Kettler v. Roberts. U.S. Dist. Ct. N.D. 1978. Preliminary injunction 1978. Sp. Ed. Whether school must address the conditions of the children and supply services in school. Also due process issue. Edward B. Cloutmann, P.O. Box 47972, Dallas 75247, 214-630-3672.

[S2] Kite v. Marshall. U.S. Dist. Ct. S.D. 1978. Decision July 1980, P. 454 F. Supp. 1347. 494 F. Supp. 227. CCA 5 1980. Contesting a rule that students are ineligible for athletics after attending a summer training camp. Dean Steffey, 3000 S. Post Oak Road, Houston 77056, 713-621-1851.

[S1] Koonce v. University Interscholastic League. U.S. Dist. Ct. S.D. 1980. Decision 1980, D. Suit contesting UIL rule making a student ineligible for athletics for one year after transferring schools. Dean Steffey, 3000 S. Post Oak Road, Suite 1500, Houston 77056, 713-621-1851.

[S1] Layman v. University Interscholastic League. U.S. Dist. Ct. E.D. Sept. 1980. TRO denied 1980. Contesting the transfer rule for eligibility to play school sports. Dale Long, 1019 First Place, Tyler 75702, 214-592-1641.

[R2 R3] Lubbock Civil Liberties Union v. Lubbock Ind. School Dist. U.S. Dist. Ct. N.D. 1979. Decision Dec. 1980, M. CCA 5 Jan. 1981. Seeks to enjoin the school from sponsoring bible reading and from permitting the Gideon Society to distribute bibles in school. Thomas J. Griffith, 1208 13th St., Lubbock 79401, 806-762-0275.

[H1] Ruth Ann M. v. Alvin Ind. School Dist. U.S. Dist. Ct. S.D. Preliminary injunction 1980. Sp. Ed. Asked for residential placement for emotionally disturbed child and for reimbursement for parents' expense in residential placement. J. Patrick Wiseman; Nelson and Mallett, 3303 Main Street, Suite 300, Houston 77002, 713-526-1778.

[D8] Martinez v. Brazosport Ind. School Dist. Dist. Ct. Brazoria Co. 1980. Settled. Expulsion contested on due process grounds. Joe Silvas, 132 E. Plantation Street, Clute 77531, 713-265-8155.

[D5] McCommon v. Dallas Ind. School Dist. U.S. Dist. Ct. N.D. Mar. 1981. Suit for damages for strip search. (Same incident as the Sapundjieff case, infra.) R. Gregory Lamb; Tygrett, Walker & Lamb, 8111 Preston Road, Dallas 75225, 214-369-3201.

[S2] McMillon v. Texas University Interscholastic League. U.S. Dist. Ct. E.D. 1979. Decision 1979, D. Student contested the League's rule prohibiting participation in high school sports after four years' enrollment in high school. Richard C. Hile; Tonahill, Hile & Leister, P.O. Box 670, Jasper 75951, 713-384-2501.

[D8] Mendiola v. Laredo. Dist. Ct. Webb Co. 1978. Settled. Contesting suspension for more than three days without a hearing. Maria Elena Quintanilla, Texas Rural Legal Aid, P.O. Box 888, Laredo 78040, 512-727-5191.

[D4] Morgan v. Raney. Dist. Ct. Bastrop Co. May 1980. Decision Mar. 1981, M. 14 CHR 763. ELB 983. Suit for damages for battery when teacher struck student and for alleged harrassment when the student complained of the beating. Elizabeth Gonzales, Legal Aid Society of Central Texas, 509 Spring Lane, Bastrop 78602, 512-321-3925.

[S1] Navarro v. University Interscholastic League. Dist Ct. Webb Co. Apr. 1981. Preliminary injunction denied Apr. 1981. Withdrawn. Contesting the transfer rule for sports eligibility. Paul Vasquez, 1102 Scott St., P.O. Box 1541, Laredo 78040, 512-722-6550.

[E6] Nored v. University Interscholastic League. U.S. Dist. W.D. 1977. Moot. Suit attacking the defendant's requirement for "half court" rules in girls' basketball. David Richards, 600 West 7th St., Austin 78701, 512-476-4822.

[H1] Ann Marie P. v. Conroe Ind. School Dist. U.S. Dist. Ct. S.D. Jan. 1981. Sp. Ed. Suit for damages for failure to provide residential placement. Kenneth Box; Mullins, Box and Parish, 3303 Main St., Houston 77002, 713-528-2868.

[H1 P2] Diane P. v. Alief Ind. School Dist. U.S. Dist. Ct. S.D. June 1980. Injunction granted. Sp. Ed. Seeking residential placement and damages for expulsion of mentally retarded child from a residential school. Sarah Scott, 917 Franklin Street, Houston 77002, 713-228-9879.

[D8] Pasadena Ind. School Dist. v. Emmons. Dist. Ct. Jan. 1979. Decision Jan. 1979, P. Ct. of Appeals 1979. Decision July 1979, D. 586 S.W.2d. 151. Suit to enjoin a suspension pending appeal to the state Commission of Education. Whether the student must exhaust administrative remedies. Ann M. Zimmerer, P.O. Box 4344, Pasadena 77503, 713-941-7831.

[D8] Pizana v. San Antonio Ind. School Dist. Dist. Ct. Bexar Co. Mar. 1980. Injunction Mar. 1980. Suspension for marijuana possession--whether there can be suspension before a hearing is held. Jose Rodriguez; Bexar County Legal Aid, 434 South Main, San Antonio 78204, 512-227-0111.

[H1] Brenda R. v. Houston Ind. School Dist. U.S. Dist. Ct. S.D. July

1980. Sp. Ed. Suit to maintain child in an out-of-state residential school. Sarah Scott, 917 Franklin Street, Houston 77002, 713-228-9879.

[E2 D8] Ricks v. Lowe. U.S. Dist. Ct. W.D. Oct. 1980. Contesting expulsion of black student for three years on two grounds: 1) lack of due process hearing, 2) school gives more punishment to blacks than to whites. Mary Keller, Texas Civil Liberties Union, 600 West 7th Street, Austin 78701, 512-477-5849.

[H1 H6] Daniel and David S. v. Louise Ind. School Dist. U.S. Dist. Ct. S.D. Feb. 1980. Sp. Ed. Seeking placement in a private facility for one child and better services in school for a second child. David T. Lopez, 3935 Westheimer Street, Houston 77027, 713-965-9240.

[H1] Davina S. v. Richardson Ind. School Dist. U.S. Dist. Ct. N.D. Oct. 1979. Sp. Ed. Seeks 24 hour residential care in residential placement. Craig Enoch, 6060 North Central Expressway, Dallas 75206, 214-369-8596.

[H1] Donna S. v. New Boston. U.S. Dist. Ct. E.D. Dec. 1979. Sp. Ed. Multi-handicapped child wants the school board to provide private placement. Attorney unknown.

[H1 P2] Howard S. v. Friendswood Ind. School Dist. U.S. Dist. Ct. S.D. 1978. Preliminary injunction 1978. 454 F. Supp. 634. Settled. Sp. Ed. Suit for expenses of residential placement (parents placed emotionally disturbed child in residential placement after child was expelled from school). J. Patrick Wiseman; Nelson and Mallett, 3303 Main Street, Houston 77002, 713-526-1778.

[D5] Sapundjieff v. McVay. U.S. Dist. Ct. N.D. Nov. 1980. Whether a strip search by school administrators is illegal because conducted without probable cause. Damages sought. Douglas Larson, 810 Main Street, Dallas 75202, 214-742-3847.

[D2] Scott v. Central Ed. Agency. Dist. Ct. Travis Co. Oct. 1980. Whether a teacher can give a failing grade in a course (and thus prevent student's graduation) for sleeping in class when the announced criteria for grading did not mention sleeping as a factor in grading and no other prior notice was given. Mark Waterman, 5850 San Felipe St., Houston 77057, 713-977-2333.

[D1 D6 D8] Shockley v. Corsicana Ind. School Dist. U.S. Dist. Ct. N.D. 1978. Decision Feb. 1981, D. Suit contesting suspension for possession of marijuana, claiming that there was insufficient evidence that the substance was marijuana and that the procedures violated due process. Also requested damages and expungement of records. Peter Lesser, 1341 West Mockingbird Lane, Dallas 75247, 617-630-3066.

[H2 B1] Smith v. Houston Ind. School Dist. U.S. Dist. Ct. S.D. 1980. TRO, then moot. Sp. Ed. Whether children in a residential facility located in Houston must be admitted to the Houston public school even though their parents are not Houston residents. Thomas Bartley, 2600 South Gessner Street, Houston 77063, 713-780-0966.

[H6] Stearns v. Nacogdoches Ind. School Dist. Dist. Ct. Nacogdoches Co. 1979. Settled. Obligation of the school to pay for psychological services outside the school and for transportation to the psychologist's office. Robert O'Keefe, East Texas Legal Service, P.O. Box 1069, Nacogdoches 75961, 713-560-1455.

[S1] Sullivan v. University Interscholastic League. Dist. Ct. Travis Co. 1977. Class Action. Decision 1978, D. Ct. of Appeals decision 1980, D. 599 S.W. 2d 860. Texas Supreme Ct. 1980. Decision 1981, P. Motion for rehearing 1981. Suit contesting League rule making a student ineligible to play a sport for one year after changing schools. H. Clyde Farrell, 600 W. Seventh, Austin 78701, 512-476-4822.

[E2 D1] Tasby v. Estes. U.S. Dist. Ct. N.D. 1978. Class action. Decision 1979, D. CCA 5 1979. Claim that school district discriminates against blacks in its disciplinary procedures. Edward B. Cloutmann, P.O. Box 47972, Dallas 75247, 214-630-3672.

[H6] Tatro v. State of Texas. U.S. Dist. Ct. N.D. Nov. 1979. Preliminary injunction denied Dec. 1979. 481 F. Supp. 1224. CCA 5 1980. Decision Sept. 1980, P. 625 F. 2d 557. Sp. Ed. Suit for catheterization service in school. Craig Enoch, 6060 North Central Expressway, Dallas 75206, 214-369-8596.

[O1] Thurman v. City of Dallas. U.S. Dist. Ct. N.D. June 1980. Damage suit against the Dallas school and police department; planitiff alleges that undercover police brought in by the school wrongfully accused plaintiff of drug violations. Paul F. Carnes, 12900 Preston Rd., Dallas 75230, 214-239-0283.

[S2] Torres v. University Interscholastic League. Dist. Ct. Webb Co. Nov. 1980. Temporary injunction Dec. 1980. Ct. of Appeals 1980. Decision Apr. 1981, D. Student contests ruling that he is ineligible for sports under the five-year rule. Raul Vasquez, 1102 Scott Street, P.O. Box 1541, Laredo 78040, 512-722-6550.

[F3] Troy Ind. School Dist. v. State Bd. of Ed. Dist. Ct. Travis Co. Mar. 1979. Student contested suspension for violation of the dress code on the grounds that the dress code is invalid. Jack W. Prescott; Prescott, Greenfield, Mewhinney and Wilson, P.O. Drawer 867, Temple 76501, 817-986-2214.

[E1] U.S. v. Big Spring Ind. School Dist. Dist. Ct. 1980. Title IV desegregation suit. Frederick S. Mittelman, Room 7442, U.S. Department of Justice, District of Columbia 20530, 202-633-4092.

[E1] United States v. Marshall Ind. School Dist. U.S. Dist. Ct. Dec. 1980. Suit for desegregation of Marshall schools. John R. Moore, Civil Rights Division, Department of Justice, Washington, D.C. 20530, 202-633-3802.

[D1 D8] White v. Everman Ind. School Dist. U.S. Dist. Ct. N.D. 1977. TRO denied 1977. Due process in disciplinary hearing procedure. Also contested a rule that students are automatically suspended for the rest of the semester if found possessing marijuana. Arthur Brender, 930 Bank of Commerce Building, Fort Worth 76102, 817-334-0171.

[D1 D8] Williams v. Austin Ind. School Dist. U.S. Dist. Ct. W.D. Oct. 1978. Student's expulsion attacked on grounds that the procedure used violates due process and the punishment given was too harsh for the infractions. Xavier Medina, Legal Aid Society of Central Texas, 500 Perry Brooks Building, 8th and Brazos, Austin 78701, 512-476-7244.

[E6] Williams v. Marshall. U.S. Dist. Ct. S.D. 1978. TRO. Preliminary injunction denied. Moot. A girl sought to play on a boys' baseball team. Matthew M. Horowitz, University of Houston Law School, 4800 Calhoun St., Houston 77004, 713-749-7650.

[E1 S1] Williams v. University Interscholastic League. Dist. Ct. Harris Co. 1980. TRO denied, then the case was refiled in Federal Ct. See next case. Eligibility of student for sports after transferring to a school outside of his district under the majority-to-minority racial transfer program (related to the Houston desegregation effort). Edward D. Urquhart; Sponsel and Urquhart, 50 Briar Hollow Ln., Houston 77027, 713-840-0920.

[E1 S1] Williams v. University Interscholastic League. U.S. Dist. Ct. S.D. 1980. Withdrawn. Attack on defendant's determination that a student was ineligible for sports because he was attending school outside of the district of his residence (under the majority-to-minority racial transfer rule, which is part of the Houston desegregation effort). Gerald R. Bracht; Butler, Binion, Rice, Cook, and Knapp, 1100 Esperson Bldg., Houston 77002, 713-237-3111.

[H2 B1] Wood v. Austin Ind. School Dist. Dist. Ct. Travis Co. Aug. 1980. Sp. Ed. Parents of a child in a state institution for mentally retarded want the child to attend Austin schools; the question is whether the parents, as residents of Austin, are entitled to send children to the Austin schools because the state institution is a separate independent school district. Mat Kidd, P.O. Box 1802, Austin 78767, 512-476-4346.1

UTAH

[H1 P1] Allred v. Utah State Office of Ed. U.S. Dist. Ct. Jan. 1981. Sp. Ed. Suit for costs of placement in residential facility; whether administrative remedies must be exhausted when the city attorney has issued ruling that the school is not liable for costs. Paul C. Droz; Snow, Christensen & Martineau, 10 Exchange Place, Salt Lake City 84111, 801-521-9000.

[B5] Granite Nutrition Coalition v. Bd. of Ed. of Granite Dist. U.S. Dist. Ct. May 1980. Class action. Suit for school lunch for kindergarten students. Paul Wharton, Utahns Against Hunger, 565 East 400 South, Salt Lake City 84102, 801-328-2561 and Lucy Billings, Utah Legal Services, 352 South Denver St., Salt Lake City 84111, 801-328-8891.

[H7 H9] Ibrahim v. Utah School for Deaf and Blind. U.S. Dist. Ct. 1980. Sp. Ed. Which school district has responsibility for child education--district where child attended school or where child resided. Whether handicapped children are entitled to over 180 days of school. Gordon F. Esplin, 225 South 200 East, Suite 200, Salt Lake City 84111, 801-532-7937.

[R2] Lanner v. Wimmer. U.S. Dist. Ct. 1977. Class action. Decision 1978, P. 463 F. Supp. 867. CCA 10 1979. Suit to prohibit the school board from granting credit to students for Mormon Seminary classes given on release time. Kathryn Collard, 417 Church Ave., Salt Lake City 84111, 801-534-1663.

[H6] Matter of Chris Rocha. U.S. Dist. Ct. 1980. Settled. Sp. Ed. Suit for more in-school services for learning-disabled child. Gordon F. Esplin, 225 South 200 East, Suite 200, Salt Lake City 84111, 801-532-7937.

[H1 P1] Milonas v. Williams. U.S. Dist. Ct. 1980. Class action. Decision 1980, P. CCA 10 1980. Sp. Ed. Suit to upgrade the quality of education given in private institutions receiving 94-142 students. Does requirement of exhaustion of administrative remedies apply to class action suits? Kathryn Collard, 417 Church Ave., Salt Lake City 84111, 801-534-1663.

[D4] Mullen v. Uintah Co. School Dist. U.S. Dist. Ct. Feb. 1979. Decision May 1979, D. CCA 10 Jun. 1979. Decision Jan. 1980, D. §1983 suit for assaulting a student in a non-disciplinary situation. Negligent failure to supervise. Negligent failure to dismiss teacher. Loni F. DeLand; McRae & DeLand, 72 E. 400 South St., Salt Lake City 84111 801-364-1333.

[H2] Sevy v. Jordan School Dist. Salt Lake Co. Dist. Ct. 1979. Class action. Consent order. Sp. Ed. Mentally retarded children seeking entry into public schools. Gordon F. Esplin, 225 South 200 East, Suite 200, Salt Lake City 84111, 801-532-7937.

VERMONT

[P2] K.B. v. Withey. U.S. Dist. Ct. Dec. 1978. ELB 828. Sp. Ed. Whether the expulsion of a handicapped child violated the following rights: a free and appropriate public education in the least restrictive alternative; the right to an impartial hearing with due process; the right of pendency, and notice of change of placement. Whether 94-142 provides for damages against state and school officials and to what extent it abrogates Eleventh Amendment immunity. John D. Shullenberger, Vermont Legal Aid, 180 Church St., Burlington 05401, 802-863-2871.

[F2] Bicknell v. Vergennes Union High School Bd. U.S. Dist. Ct. Sept. 1978. Decision Aug. 1979, D. 475 F. Supp. 615. CCA 2 1979. Decision 1980, D. Challenge to the authority of the school board to remove books which the board finds objectionable from the school library. Richard A. Axelrod; Gensburg & Axelrod, P.O. Box 189, St. Johnsbury 05819, 802-748-8161.

[S2] Branch v. Emery. Superior Ct. Crittenden Co. 1977. Decision 1977, D. Student contests ineligibility for football in his fifth year of high school. Richard Wadhams, 253 South Union Street, Burlington 05402, 802-863-2888.

[H2] Clark v. Withey. U.S. Dist. Ct. July 1979. Class action. 13 CHR 528. Sp. Ed. Whether education of mentally handicapped students in a totally segregated environment is a violation of 94-142. What relief would be proper. Sally Fox, Vermont D.D. Law Project, 180 Church St., Burlington 05401, 802-863-2881.

[H1] D.M. v. Withey. U.S. Dist. Ct. Feb. 1981. Sp. Ed. Action to obtain placement for handicapped child. William J. Reedy, Vermont Legal Aid, 180 Church St., Burlington 05401, 802-863-2871.

[P1] K.M. v. Withey. U.S. Dist. Ct. Jan. 1979. Class action. Consent decree July 1979. Sp. Ed. Challenge to Department of Education's failure to schedule due process hearing and issue decision within 45 days. Whit Smith, Mental Health Law Project, 180 Church St., Burlington 05401, 802-863-2881.

[H2 H6] Mason v. Withey. U.S. Dist. Ct. Mar. 1980. Class action. 14 CHR 1109. Sp. Ed. Wide ranging challenge to education of handicapped children confined in state institution alleging procedural deficiencies, failure to develop IEPs, and failure to place in least restrictive environment. Whit Smith, Mental Health Law Project, 180 Church St., Burlington 05401, 802-863-2881.

[H2] S.S. v. Withey. U.S. Dist. Ct. Jan. 1979. Dismissed on stipulation. 13 CHR 109. Sp. Ed. Whether child was placed in least restrictive environment. Whit Smith, Mental Health Law Project, 180 Church St., Burlington 05401, 802-863-2881.

[H9] Windsor Central Supervisory Union v. Vermont State Bd. of Ed. Superior Ct. Washington Co. Feb. 1981. Sp. Ed. Challenge to state law which provides that the state shall pay special education costs within funds available, the schools to pay any excess. Schools say unconstitutional and that state should pay special education costs over ordinary per pupil cost. Who bears ultimate responsibility of cost of special education. John Faginant; Miller, Norton & Cleary, Rutland Savings Bank Bldg., 110 Merchant Row, Rutland 05701, 802-775-2521.

VIRGINIA

[H1] Arrington v. Prince William Co. Public Schools. U.S. Dist. Ct. E.D. Aug. 1980. Decision Sept. 1980, D. Decision Mar. 1981, D. EHLR 552:358. Sp. Ed. Suit filed before exhaustion of administrative remedies, charging failure to pay special education costs, imposition of financial and insurance conditions, and seeking attorneys fees. Ern Reynolds, 9014 Church St., Manassas 22110, 703-368-4182.

[H1] Bedford Co. Public Schools v. Hall. Cir. Ct. Bedford Co. 1981. Sp. Ed. Suit for residential placement. J. G. Overstreet, P.O. Box 992, Bedford 24523, 703-586-1979.

[F1] Bostic v. Craig Co. Schools. U.S. Dist. Ct. W.D. Apr. 1977. Class action. Decision May 1977, M. Contesting suspension of students for demonstrating because some teachers were refused contracts. Robert P. Dwoskin; Dwoskin & Simons, 415 4th Street, Charlottesville 22901, 804-293-8167.

[S2] Braxton v. Virginia High School League. Cir. Ct. City of Charlottesville June 1977. Decision Aug. 1977, D. Student contests the application of the eight semester limit for sports eligibility. Robert P. Dwoskin; Dwoskin & Simons, 415 4th Street, Charlottesville 22901, 804-293-8167.

[H1] Charlotte Co. School Bd v. Spencer. Cir. Ct. Charlotte Co. May 1980. Settled. Sp. Ed. Whether child should be placed in a residential facility. D. Patrick Lacy, Jr., P.O. Box 1640, Richmond 23213, 804-649-7021.

[H6] Co. School Bd. of Pittsylvania Co. v. Scruggs. Cir. Ct. June 1979. Decision Nov. 1979, P. Sp. Ed. Appeal by school board from state hearing officer's decision in favor of parents determining inadequacy of program for handicapped child. See Scruggs v. Campbell, infra. Frank O. Meade; Meade, Tate & Daniel, 116 South Ridge Street, Danville 24541, 804-792-3911.

[E1] Cooke v. Newport News School Bd. U.S. Dist. Ct. E.D. June 1979. Class action. Four trial ct. rulings, M, latest Jan. 1981. CCA 4 Feb. 1981. Wide ranging charges of discrimination against black students. Oscar H. Blayton, 2017 Cunningham Dr., Hampton 23666, 804-826-4711.

[S3] Denby v. Virginia High School League. Cir. Ct. Nov. 1980. Decision 1980, D. Suit by a high school contesting the selection of another school's team for the football championship playoff. Stephen P. Rosenfield; Wyatt & Rosenfield, 917 East Jefferson Street, Charlottesville 22901, 804-296-4139.

[H6] DeRosario v. Kline. U.S. Dist. Ct. E.D. Apr. 1980. Consent decree Sept. 1980. Sp. Ed. Plaintiff sought to require school system to hire a specially qualified teacher. William L. Botts III, Rappahannock Legal Services, Miller Bldg., 702 S. Main, Culpeper 22701, 703-825-3131.

[H2] DeWalt v. Burkholder. U.S. Dist. Ct. E.D. Jan. 1980. Decision Mar. 1980, D. 3 EHLR 551:550. ELB 877. Sp. Ed. Deaf child seeking placement in own community school rather than in an out-of-county residential placement. Gerard S. Rugel, Legal Services of Northern Virginia, 2A W. Loudoun St., Leesburg 22075, 703-471-1999.

[H1 H2] Diomedi v. Davis. U.S. Dist. Ct. W.D. Mar. 1981. Sp. Ed. Plaintiff contests the school's assignment of a full time aide to a child with muscular dystrophy, claiming it will make the child too dependent and that a new IEP is required. Plaintiff also claims denial of a due process hearing. William A. Beeton, Jr. ; Eller, Beeton & Lane, 513 Main Street, Altavista 24517, 804-369-5661.

[H1] Doe v. Byrd. U.S. Dist. Ct. E.D. Feb. 1978. Decision July 1978, D. Sp. Ed. Plaintiffs sought full funding for residential placements. John D. Grad, 108 N. Columbus St., Alexandria 22313, 703-836-6595.

[P2] Doe v. Jones. U.S. Dist. Ct. E.D. Nov. 1978. Class action. Settled. Sp. Ed. Whether there was a denial of due process in disciplinary proceedings. Whether student's placement was changed for disciplinary reasons rather than under the requirements of 94-142. Dale Pittman, Petersburg Legal Aid Society, 233 S. Adams St., Petersburg 23803, 804-862-1100.

[H6] Donnovan v. Lunenburg Co. U.S. Dist. Ct. E.D. 1979. Settled May 1980. Sp. Ed. Plaintiff charged that learning disabled child was given insufficient time with LD teacher. Judith A. Bennett; Bennett & Cohen, P.O. Box 6248, Newport News 23606, 804-599-6360.

[H7] Fairfax Co. School Bd. v. Burgess. Cir. Ct. Fairfax Co. Mar. 1980. Decision Sept. 1980, D. Sp. Ed. Appeal by school board from state hearing officer's decision that school board should pay summer tuition. Thomas J. Cawley; McCandlish, Lillard, Church & Best, P.C., 4069 Chain Bridge Rd., Fairfax 22030, 703-273-2440.

[H1] Fairfax Co. School Bd. v. Hurley. Cir. Ct. Fairfax Co. Oct. 1980. Sp. Ed. Appeal by county from state hearing officer's decision regarding residential placement. Thomas J. Cawley; McCandlish, Lillard, Church & Best, P.C., 4069 Chain Bridge Rd., Fairfax 22030, 703-273-2440.

[H6] Farley v. Davis. U.S. Dist. Ct. W.D. Feb. 1980. Consent decree. Sp. Ed. Whether a deaf child is entitled to an interpreter under 94-142 and Section 504. Edward L. Hogshire; Paxson, Smith, Boyd, Gilliam & Gouldman, 500 Commonwealth Center, Charlottesville 22902, 804-296-2161.

[R1 E2] Fiedler v. Marumsco Christian School. U.S. Dist. Ct. E.D. Mar. 1979. Decision Aug. 1979, D. CCA 4 1980. Decision Oct. 1980, P. Charge of racial discrimination in connection with two expulsions for interracial dating; the school claimed freedom of religion as a defense. Damages sought. Victor M. Glasberg; Hirschkop & Grad, P.O. Box 1226, Alexandria 22313, 703-836-6595.

[D8] Galla v. Fluvanna Co. Schools. U.S. Dist. Ct. W.D. Dec. 1978. Settled. Whether a 5-day in-school suspension violated constitutional rights. Denial of due process in the suspension. Robert P. Dwoskin; Dwoskin & Simons, 415 4th Street, Charlottesville 22901, 804-293-8167.

[S2] Gibson v. Virginia High School League. U.S. Dist. Ct. W.D. Apr. 1979. Decision 1979, D. School officials failed to advise the student as to the number of credits required to remain eligible for sports. Plaintiff contended violation of constitution because rule is arbitrary and capricious. Thomas L. Rasnic, P.O. Box 635, Jonesville 24263, 703-346-3690.

[H1] Gray v. Fairfax Co. School Bd. Cir. Ct. Fairfax Co. Apr. 1981. Sp. Ed. Action to compel the school board to comply with a hearing examiner's decision concerning class separation of child and placement in a private facility. Edmond D. Cohn, 1508 North Veitch, Arlington 22201, 703-525-0636.

[E1] Greene v. School Bd. of Alexandria. U.S. Dist. Ct. E.D. 1978. Decision Mar. 1979, D. 494 F. Supp. 467. Whether school closings and bussing under a desegration plan placed a larger burden on black children than on white children and were racially discriminatory. S. W. Tucker; Hill, Tucker, and Marsh, 509 N. 3rd. St., Richmond 23219, 804-648-9073.

[H3] Halifax Co. School Bd. v. Fore. Cir. Ct. Halifax Co. Mar. 1980. Sp. Ed. Appeal of hearing officer's decision that handicapped child's placement by the school was not appropriate. Donald P. Bagwell, Sr.; Tuck, Bagwell, Dillard, Mapp & Nelson, Court Square, Halifax 24558, 804-476-6521.

[H1 P2] Harris v. Campbell. U.S. Dist. Ct. E.D. Oct. 1978. Class action. Decision June 1979, D. 472 F. Supp. 51. Sp. Ed. Whether a handicapped student, expelled from private school in which he had been placed by the state, had exhausted administrative remedies when the state was seeking other placement for him and, meanwhile, was sending teacher to his home. Joan DeLise, Legal Services of Northern Virginia, 2009 N. 145h St., Suite 705, Arlington 22207, 703-841-0304.

[D8] Hillman v. Elliott. U.S. Dist. Ct. W.D. May 1977. TRO May, 1977. Decision Aug. 1977, D. 436 F.Supp. 812. Whether a student received due process in connection with a three-day suspension. Walton D. Morris, Jr., 807 Clear Spring Rd., Great Falls 22066, 202-343-4671.

[D3] Jones v. Wright. U.S. Dist. Ct. W.D. Oct. 1978. Decision Oct. 1978, M. A boy suspended from athletic competition (for pushing an official) alleged violation of his constitutional rights because the suspension could deprive him of an athletic scholarship in college. Rayner V. Snead, Jr.; Edmunds, Williams, Robertson, Sackett, Baldwin & Graves, P.O. Box 958, Lynchburg 24505, 804-846-6591.

[H6] LaRue v. Fairfax Co. U.S. Dist. Ct. E.D. Jan. 1981. Sp. Ed. Whether school should provide a special speech program for a deaf child. Michael J. Eig; Eig & Smith, 1730 M Street N.W., Suite 805, Washington, D.C. 20036, 202-466-8666.

[H1] Layton v. Bedford School Bd. U.S. Dist. Ct. W.D. Apr. 1981. Sp. Ed. Suit for residential placement. George I. Vogel; Wilson, Hawthorne & Vogel, P.O. Box 2420, Roanoke 24010, 703-982-1220.

[D6 F1] Liebner v. Sharbaugh. U.S. Dist. Ct. E.D. Feb. 1977. Settled. Action to expunge from the student's record any evidence of his suspension for distributing a school newspaper, to credit him with days lost by suspension, to revise the Students' Rights and Responsibilities Code, and for damages, costs and attorneys fees. Jonathan Shapiro; Zwerling & Shapiro, 108 N. Columbus St., Alexandria 22313, 703-836-5551.

[H1] Matthews v. Campbell. U.S. Dist. Ct. E.D. 1978. Decisions Jan. 1979 and July 1979, P. 3 EHLR 551:264. ELB 890. Sp. Ed. Suit for tuition for private placement. Karen C. Kincannon, 7 East Franklin, Richmond 23219, 804-788-1949.

[H1] McGovern v. Sullins. U.S. Dist. Ct. E.D. 1980. Sp. Ed. Challenge to school's failure to provide an appropriate educational program for a handicapped girl; requests tuition and other costs of attending private school. Karen C. Kincannon, 7 East Franklin, Richmond 23219, 804-788-1949.

[H1] Miles v. Samples. U.S. Dist. Ct. E.D. 1979. Settled. Sp. Ed. Challenge to two county school boards' refusals to provide special schooling for a mentally retarded child; question as to residency. Henry W. McLaughlin, Neighborhood Legal Aid, 823 E. Main St., 15th Floor, Richmond 23219, 804-643-0218.

[R5] Dennis J. O'Connell High School v. Virginia High School League. U.S. Dist. Ct. E.D. 1977. Decision 1977, P. CCA 4 1978. Decision Aug. 1978, D. 581 F. 2d 81. Whether a public high school league can refuse membership to a parochial school and bar it from competition in league-sponsored athletic contests. William G. McMurtrie; Haden, Rhatigan & McMurtrie, 8150 Leesburg Pike, Vienna 22180, 703-821-0821.

[S1] Pegram v. Virginia High School League. Cir. Ct. City of Hampton Nov. 1980. Decision 1980, D. Student contests application of the transfer rule for sports eligiblity, claiming that by moving in with his brother, his guardian, the rule did not apply. Elwood H. Richardson, Jr., P.O. Box 164, Hampton 23669, 804-723-3750.

[D1] Michael Petty v. Fluvanna School Bd. Cir. Ct. Fluvanna Co. Oct. 1979. Decision Oct. 1979, D. Student was expelled for remainder of the year for attending school with alcohol on his breath. Plaintiff charged improper application of state law by the school board. Stephen P. Rosenfield; Wyatt & Rosenfield, 917 East Jefferson Street, Charlottesville 22901, 804-296-4139.

[H6] Pinkerton v. Moye. U.S. Dist. Ct. W.D. Feb. 1980. Decision 1981, D. Sp. Ed. Challenge to school's failure to provide a special program for handicapped girl. Michael K. Crookshank, 189 Valley St., Abbington 24120, 703-628-7167.

[E2 D8] Prince v. Co. School Bd. of Greensville Co. U.S. Dist. Ct. E.D. May 1979. Settled. Whether student received due process in suspension from school; racial discrimination alleged. Steven L. Myers, Virginia Legal Aid Society, 412 S. Main St., Emporia 23847, 804-634-5172.

[H1] Raphael v. Fairfax Co. Cir. Ct. Fairfax Co. July 1980. Sp. Ed. Whether county should continue payment, during administrative appeal, for handicapped child in a private school which had lost accreditation. Douglas L. Pierson, 301 Maple Ave. W., Vienna 22180, 703-281-9660.

[S2] Runion v. Virginia High School League. Cir. Ct. Shenandoah Co. Nov. 1977. Decision 1977, D. Students challenge their ineligibility for school track after participating in a non-school race. James P. Weisenborn, P.O. Box 329, New Market 22844, 703-740-3159.

[H3] Rush v. Fairfax Co. Public Schools. Cir. Ct. Fairfax Co. Feb. 1980. Withdrawn. Sp. Ed. Contesting placement of a learning disabled child. Michael L. O'Reilly, 8150 Leesburg Pike, Suite 910, McLean 22101, 703-790-1911.

[H1 H4] Matter of Russell. Juvenile Ct. Charles City Co. Feb. 1981. Decision Feb. 1981, P. Sp. Ed. Whether, upon moving from one school district to another, the new school district should recognize the handicapped status and IEP of the child until it does its own IEP. Also. whether the child should remain in his present placement until the new school does its IEP. Dale Pittman, Petersburg Legal Aid Society, 233 S. Adams St., Petersburg 23803, 804-862-1100.

[O1] Sandlin v. Pittsylvania Co. School Bd. U.S. Dist. Ct. W.D. 1979. Class action. Decision 1980, D. CCA 4 1980. Decision Mar. 1981, D. Parents contest the school's refusal to promote students to the third grade, contending that they had attained third grade reading level, and if not, it was the fault of poor instruction. Court abstained on the ground that the federal courts should not resolve administration problems in state agencies. Fred D. Smith, Jr., 218 East Main Street, Martinsville 24112, 703-632-7174.

[H6 P1] Scruggs v. Campbell. U.S. Dist. Ct. E.D. Aug. 1979. Decision, D. CCA 4 Oct. 1979. Decision Sept. 1980, D. 630 F.2d 237. Parents desire better facilities for a physically handicapped child. The suit is to reverse finding of the local hearing officer. The case was dismissed for failure to exhaust administrative remedies. Because a second case (an appeal from the Department of Education's ruling for the plantiff) was filed in state court, the state court had jurisdiction. The state court case is County School Board of Pittsylvania v. Scruggs, above. William. A. Beeton; Eller, Beeton & Lane, 513 Main St., Altavista 24517, 804-369-5661.

[P2] Smith v. Dennis. U.S. Dist. Ct. 1980. Settled. Sp. Ed. Suit contesting the expulsion of a handicapped child and requesting special education services. Charles Bennett, Jr., Rappahannock Legal Services, 910 Princess Ann Street, Fredericksburg 22401, 703-371-1105.

[S2] Sounders v. Virginia High School League. Cir. Ct. Fairfax Co. Apr. 1980. Decision Apr. 1980, D. Boy declared ineligible for sports because he had not taken required number of courses. He requested that the rule be waived since he had not been informed of requirement. George C. Towner, Jr.; Simmond, Coleburn & Towner, P.O. Box 848, Arlington 22216, 703-525-7700.

[S2] Steiger v. Virginia High School League. U.S. Dist. Ct. E.D. Oct. 1977. Decision 1977, D. Students contest ineligibility for tennis team because they competed in a non-sanctioned tennis tournament. Robert C. Adams; Swayze, Tidings, Bryant & Adams, P.O. Box 250, Fairfax 22030, 703-591-7100.

[R1] Stein v. Fairfax Co. School Bd. Cir. Ct. Fairfax Co. Mar. 1980. Class action. Decision 1980, D. Whether graduation held on the Jewish Sabbath, which might prevent attendance by Jewish children, violates the right to free exercise of religion. Michael D. Hausfeld; Kohn, Milstein & Cohen, 1776 K Street, Washington, D.C. 20006, 201-293-7110.

[H3] Terry v. City of Newport News. Cir. Ct. June 1979. Settled. Sp. Ed. Plaintiff charged that schools had not provided proper placement under 94-142. Edward C. Newton; Rixey, Helig & McHenry, 2013 Cunningham Dr., Hampton 23666, 804-838-8021.

[D8] Tune v. Wood. U.S. Dist. Ct. W.D. May 1979. TRO, then settled. Question of due process on expulsion. Joel C. Cunningham, Virginia Legal Aid, Inc., P.O. Box 640, Halifax 24558, 804-476-2136.

[F4] Whitaker v. Greenville Co. School Bd. Cir. Ct. Feb. 1981. Decision Mar. 1981, P. Student sues to obtain his records under the state freedom of information act. Steve L. Myers, Virginia Legal Aid Society, 412 South Main Street, Emporia 23847, 804-634-5172.

[D2] Whitehead v. Bedford Co. School Bd. Cir. Ct. Parents claim that an "F" grade, because of a missed band trip, is arbitrary. Clifford P. Weckstein; Lichtenstein, Weckstein & Raney, 132 West Campbell, Roanoke 24011, 703-344-3233.

[H6] Wilson v. Fairfax Co. School Bd. Cir. Ct. Fairfax Co. Oct. 1979. Withdrawn. Sp. Ed. Whether school personnel should help multiple handicapped child up stairs when returned home by bus. Gerard S. Rugel, Legal Services of Northern Virginia, 2A W. Loudoun St., Leesburg 22075, 703-471-1999.

[H6 P1] Winfield v. Fairfax Co. School Bd. Cir. Ct. 1979. Decision Sept. 1979, P. 3 EHLR 551:269. ELB 875. Sp. Ed. Whether an independent evaluation must include an evaluation of the type of education, including techniques of instruction, needed by a deaf child. Whether administrative remedies must be exhausted. Stephen S. Mitchell; McKinley, Schmidtlein and Mitchell, 320 King St., Suite 506, Alexandria 22314, 703-549-0780.

[E2] Wright v. Greensville Co. School Bd. U.S. Dist. Ct. E.D. May 1980. Class action. 14 CHR 762. ELB 969. Wide ranging charges of discrimination against black students in promotion, grouping practices and assignments to alternative curriculum. Norman J. Chachkin, 733 15th St., N.W., Washington, D.C. 20005, 202-628-6700.

WASHINGTON

[S1] Buchanan v. Washington Interscholastic Activity Assn. Superior Ct. King Co. Sept. 1980. Decision Dec. 1980, P. Student contests sports ineligibility under the transfer rule. Basil L. Badley; Carney, Stephenson, Siqueland, Badley, Smith & Mueller, Sixth & University Streets 17th Floor, Seattle 98101, 206-622-8020.

[O1] Camer v. Brouillet. Superior Ct. King Co. Apr. 1980. Class action. Decision Oct. 1980, D. Washington Supreme Ct. 1980. Allegations of denial of necessary instruction and curriculum required to achieve the learning objectives established by state law. Alleged breach of duty by superintendent, school board members and others. Pro se. Defense attorney is Robert Patterson, Assistant Attorney General, Education Division, 533 E. 15th Avenue, Olympia 98504, 206-753-2298.

[H6] Doe v. Franklin Pierce Co. School Dist. Superior Ct. Prince Co. Sept. 1980. Sp. Ed. Action for damages for mental and social damage caused by delay in providing program for handicapped girl, and charging discrimination. Action for damages by parents for tortious interference with parent child relationship. Sverre O. Staurset; Graves & Staurset, 402 Tacoma Ave. S., Tacoma 98402, 206-383-3333.

[H4] Gonzalez v. Brouillet. Superior Ct. King Co. July 1979. Class action. Settled Mar. 1980. Sp. Ed. Alleged failure of school district to provide trained personnel to evaluate students who had been identified as possibly handicapped. Howard Powers, Evergreen Legal Services, 618 2nd Avenue, Seattle 98104, 206-464-5963.

[D8] Henriquez v. Yakima School Bd. Superior Ct. Yakima Co. May 1980. Decision June 1980, P (pending as to damages). Whether an emergency expulsion and a subsequent suspension were proper under the statutes and school rules. Also action for damages. James B. Hovis; Hovis, Cockrill, and Roy, P.O. Box 487, Yakima 98907, 509-575-1500.

[H6] Hunter v. Lake Washington School Dist. Superior Ct. King Co. 1979. Decision Nov. 1980, P. Sp. Ed. Whether a "Total Communications" program is appropriate for all deaf children or whether an individual program should be developed for each child. Whether there is a presumption in favor of the school's determination of a program or whether the burden of proof of appropriateness is on the school rather than on the parents. Whether parents should be invited to attend all IEP conferences. William L. E. Dussault; Sweet, Dussault, and Neff, 219 E. Galer Street, Seattle 98102, 206-324-4300.

[H1] Lake Washington School Dist. v. Keith S. Superior Ct. King Co. 1978. Settled re placement and tuition. Decision re fees 1979, for parents. Sp. Ed. Appeal by school district from state agency decision that local school district pay tuition in a private school. Also action by parents for attorneys fees. Christopher L. Hirst; Montgomery, Purdue, Blankinship and Austin, 1515 Norton Bldg., Seattle 98104, 206-682-7090.

[H6] *Morris* v. *Selah School Dist*. Superior Ct. Yakima Co. Jan. 1981. Sp. Ed. Appeal from hearing officer's decision requiring tutoring for 18 year old girl who cannot read. Decision did not specify special type of tutoring required, and school and Department of Education resist the special tutoring. Also action for damages and reimbursement for tutoring paid for by parents. J. Adam Moore, 24 N. Second Street, Yakima 98901, 509-575-8961.

[H1] *Norberg* v. *Edmonds School Dist*. Superior Ct. Snohomish Co. 1979. Class Action. Decision Jan. 1981, P. Ct. of Appeals Feb. 1981. Appeal dropped. Sp. Ed. Suit to enforce an implied contract between the parents and the school district. District had recommended that the language impaired child be sent to a private facility and then refused to pay the tuition. William L. E. Dussault; Sweet, Dussault, and Neff, 219 E. Galer Street, Seattle 98102, 206-324-4300.

[D4] *Pangerl* v. *Spokane School Dist. No. 81*. Superior Ct. Spokane Co. Feb. 1981. Decision Apr. 1981, D. Suit by parents under state disclosure act to find out what, if any, disciplinary action was taken by the school board against a teacher who had abused a child. Stanley A. Kempner, Jr.; Goss, Moe, Sampson, and Wilson, N. 1201 Ash Street, Spokane 99201, 509-327-1545.

[S2] *Romo* v. *South Kitsap School Dist.* Superior Ct. Kitsap Co. 1979. Decision Oct. 1979, M. Eligibility for sports--contests Washington Interscholastic Athletic Association four-year rule for students repeating the 9th grade. William A. Coats; Kane, Vandeberg, Hartinger & Walker, One Washington Plaza, Suite 2100, Tacoma 98402, 206-383-3791.

[E1] *Seattle School Dist. No. 1* v. *State of Washington*. U.S. Dist. Ct. W.D. Nov. 1978. Decision June 1979, P. 473 F. Supp. 996. CCA 9 Sept. 1979. Decision Dec. 1980, P. 633 F.2d 1338. Petition for rehearing filed Dec. 1980. Challenge to the constitutionality of state statute (adopted by popular referendum) which prohibits mandatory bussing for desegregation purposes; alleging, inter alia, that the statute has the effect of creating a racial classification and is racially discriminatory since it permits bussing for non-racial reasons, but forbids it for racial reasons. Camden M. Hall; Foster, Pepper & Riviera, 1111 3rd Ave. Bldg., Seattle 98101, 206-447-4400.

[H2 H6] *Skidmore* v. *Spokane School Dist. No. 81*. Superior Ct. Spokane Co. 1979. Decision 1979, D. Sp. Ed. Whether the student was in the least restrictive environment and whether the school was meeting his minimum requirements. Bryan P. Harnetiaux; Powell and Harnetiaux, 1015 Washington Trust Bank Building, Spokane 99204, 509-624-5196.

[H1 H6] *Washington Ass'n. for Retarded Citizens* v. *Thomas*. U.S. Dist. Ct. June 1978. Class action. Sp. Ed. Appropriate placement of handicapped individuals. Condition of the institution in which plaintiffs are lodged. Alleged violations of State Education Act, 94-142 and 504. Linda Potter, Evergreen Legal Services, 618 2nd Avenue, Seattle 98104, 206-464-5963.

[E6] *Washington Education Ass'n.* v. *Shelton School Dist. No. 309*. Superior Ct. King Co. Sept. 1977. Class action. Decision June 1978, D. Washington Supreme Ct. 1980. Decision June 1980, P. 613 P.2d 769. Whether the school districts and the Washington Interscholastic Activities Association discriminate on the basis of sex in funding, maintaining and operating extra-curricular activities programs. Judith A. Lonquist, General Counsel, Washington Education Association, 33434 8th Avenue S., Federal Way 98003, 206-941-6700.

WEST VIRGINIA

[D4] Hall v. Tawney. U.S. Dist. Ct. 1977. Decision 1978, D. CCA 4 1979. Decision May 1980, D. 621 F.2d. 607. Whether corporal punishment violated the student's constitutional rights to due process, to be free of cruel and unusual punishment and to equal protection; also whether it violated the parents' substantive due process rights. Daniel F. Hedges, Appalachian Research and Defense Fund, 1116 B Kanawha Blvd. E, Charleston 25301, 304-344-9687.

[S1] Harris v. West Virginia Secondary Schools Activities Commission. U.S. Dist. Ct. Dec. 1979. Injunction Dec. 1979. Child transferred from a private school to the local public school at 10th grade, but was ruled ineligible for one year to play football. Plaintiff contended that since boy's home had always been in the district, he should not be considered a "recruit." Question was whether rule was applied unconstitutionally and in a capricious manner. Dan O. Callaghan; Callaghan & Callaghan, P.O. Box 432, Richwood 26261, 304-846-2561.

[D8] Hillman v. Elliott. U.S. Dist. Ct. June 1977. Decision Aug. 1977, D. Contesting a suspension for lack of due process on the grounds that the principal who made the initial suspension also acted as hearing officer. Attorney unknown.

[D1 D8] Y.K. v. Clay Co. Bd. of Ed. Cir. Ct. Clay Co. Mar. 1980. Decision Mar. 1980, D. Supreme Ct. of Appeals decision May 1980, P. Seventeen-year old student found to have marijuana cigarette in possession was expelled; plaintiff charged lack of due process and undue severity of punishment. Stephen J. Ahlgren; Ahlgren & Douglas, P.O. Box 453, Clay 25043, 304-965-6755.

[D4] Kehrer v. Tyler Co. Bd. of Ed. Cir. Ct. of Tyler Co. 1980. Suit for damages and injunction for corporal punishment, claiming that the school did not follow its procedures in administering punishment. H. John Rogers, P.O. Box 490, New Martinsville 26155, 314-455-3200.

[H2 H6] Pehowski v. Blatnik. U.S. Dist. Ct. 1978. Class Action. Preliminary ruling Apr. 1980, M. 14 CHR 365. Sp. Ed. Suit to force the Board of Education to provide a better special education program, alleging that school facilities for the handicapped are inadequate and that the school excessively segregates the handicapped students. George Hazlett; Phillips Gardill, Hazlett, & Kaiser, 61 14th Street, Wheeling 26003, 304-232-6810.

[B3] Shrewsbury v. Bd. of Ed. Wyoming Co. Cir. Ct. Wyoming Co. Sept. 1978. Decisions, D. Nov. 1978 and Mar. 1979. Ct. of Appeals decision May 1980, P. Challenging the refusal of the board to provide transportation to children living on a gravel road two miles from school, as a denial of equal protection. John S. Hrko; Goode & Hrko, Box 905, Mullens 25882, 304-394-5364.

[H3] Stover v. Raleigh Co. Bd. of Ed. U.S. Dist. Ct. Aug. 1979. Sp. Ed. Plaintiff charged improper placement of handicapped child. Donald L. Pitts, 416 S. Fayette St., Beckley 25801, 304-252-5309.

[S1] Tarantini v. West Virginia Secondary Schools Activities Commission. Cir. Ct. Monongalia Co. 1980. Decision Oct. 1980, P. Pupil was declared ineligible for sports because parents transferred him to another school. Plaintiff contended that since the transfer occurred after the sports season and was not related to sports, he was denied equal protection rights by a capricious application of the eligibility rule. Samuel J. Angotti, 212 High St. Morgantown 26505, 304-292-4381.

WISCONSIN

[H3] Anderson v. Thompson. U.S. Dist. Ct. E.D. 1977. Decision 1980, M. 495 F. Supp. 1256. CCA 7 1980. Sp. Ed. Whether the educational program was appropriate: student was classified as learning disabled, but was placed in a class for mentally disabled by the school. John A. Stocking; Petrie, Stocking, Meixner & Zeisig, 111 East Wisconsin Ave., Milwaukee 53202, 414-276-2850.

[B1] Beloit School Dist. v. State Appeal Bd. Cir. Ct., 1980. Decision 1980, D. Ct. of Appeals, 1980. Parents acquired property in adjoining school district and seek to have property transferred to their prior district so children could continue at same school. Daniel T. Kelley; Hansen, Eggers, Berres & Kelly, 416 College Ave., Beloit 53511, 608-365-4401.

[D1] In the Matter of Carlin. Kenosha Co. Cir. Ct. Aug. 1979. Whether school district had jurisdiction to expel student for conduct occurring off school property while student was truant and which endangered the safety of students at school. Paul F. Wokwicz, 2601 75th Street, Kenosha 53140, 414-658-2181.

[H1] Carrillo v. Village of Whitefish Bay. U.S. Dist. Ct. E.D. Oct. 1978. Preliminary injunction Jan. 1979. Withdrawn. Parents sought review when the treatment facility certified that the child was not in need of treatment provided by the facility. Child had been evaluated by the school district and was determined not to be handicapped. M. Abigail O'Dess; Jacobson, Sodos, Melnick & Krings, S.C., Suite 316, 152 W. Wisconsin Ave., Milwaukee 53203, 414-271-2302.

[O1] Gerald B. Downey v. Thompson. U.S. Dist. Ct. W.D. 1977. Class action. Withdrawn. Whether private school students are being provided equitable participation under Title IV-B because they must receive these services in public buildings or other neutral sites. Plaintiffs also sought preliminary injunction against U.S. Commissioner of Education enjoining payment of any Title IV funds to the state. T. Michael Bolger, Quarles & Brady, 780 N. Water St., Milwaukee 53202, 414-277-5000.

[H6] Einarson v. La Crosse School Bd. U.S. Dist. Ct. W.D. 1979. Withdrawn. Sp. Ed. Services required for deaf students--whether the school must provide lip-reading, as opposed to only instruction in sign language.

John A. Stocking; Petrie, Stocking, Meixner & Zeisig, 111 East Wisconsin Ave., Milwaukee 53202, 414-276-2850.

[H1] Geiter v. State Superintendent of Public Instruction. Cir. Ct. Rock Co. 1978. Parents sought tuition reimbursement from school district after unilaterally placing their mildly retarded daughters in a Catholic residential school. Eli Block; O'Leary & Krohn, 15 N. Main St., Janesville 53545, 608-754-2888.

[R2] Hahner v. Bd. of Ed. Cir. Ct. Class action. Decision P. Ct. of Appeals decision P. Wisconsin Supreme Ct. decision 1979, P. 89 Wis. 2d 180. School board appealed from the issuance of a peremptory writ of mandamus directing the board to furnish transportation for parochial school students on days on which public schools were not in session. Parochial schools refused to establish school calendar and schedule that coincided with public school calendar and schedule and demanded that transportation be provided to their students during spring vacation. Decision affirmed. Maris Rushevics, P.O. Box 285, Stevens Point 54481, 715-344-0890.

[E7] Kukor v. Thompson. Cir. Ct. Dane Co. Oct. 1979. Class action. Milwaukee students, officials, and taxpayers sue, claiming that disparities in school funding violate the state and federal constitutions. Michael Jassak; Peregrine, Marcuvitz, and Peltin, 633 W. Wisconsin Ave., Milwaukee 53203, 414-272-4833.

[H6] Lamey v. State of Wisconsin. U.S. Dist. Ct. W.D. 1980. Sp. Ed. Seeking better services in the school for a learning disabled child. Linda A. Leaf, 611 N. Broadway, Milwaukee 53202, 414-765-0643.

[B1] Madison Metropolitan School Dist. v. State of Wisconsin. Cir. Ct. 1978. Decision 1978, P. Whether a student can attend a school two blocks away but outside the school district, rather than a school within the district but two miles away. Action to have property transferred from one school district to another. Clarence Sherrod; Legal Dept., Madison Board of Education, 545 West Dayton St., Madison 53703, 608-266-6250.

[B1] Madison Metropolitan School Dist. v. State of Wisconsin. Cir. Ct. 1980. Whether a student can attend a school two blocks away but outside the school district, rather than a school within the district but two miles away. Action to have property transferred from one school district to another. Clarence Sherrod; Legal Dept., Madison Board of Education, 545 West Dayton, Madison 53703, 608-266-6250.

[H0] McLaren v. Bd. of Ed. of Joint Dist. No. 1. Cir. Ct. Kenosha Co. 1977. Decision D. An appeal from decision of State Superintendent of Public Instruction upholding the appropriateness of child's special education program. Pro se.

[B3] O'Connell v. Kniskern. U.S. Dist. Ct. Apr. 1978. Class action. Decision Feb. 1980, D. 484 F. Supp. 896. CCA 7 1980. Suit to provide transportation for religious school students. Statute stated that school districts must provide such transportation to students within five miles, and plaintiffs live 130 feet farther than 5 miles from school. Leonard W. Schultz, P.O. Box 156, Big Bend 53103, 414-662-3100.

[D1] M.P. v. Racine Unified School Dist. Cir. Ct. Racine Co. Apr. 1980. Class action. Decision Sept. 1980, M. Attacking across-the-board practice of expelling students found with pot in their possession (interpretation of state expulsion statute). Harold Harlow; Youth Policy and Law Center, 30 West Mifflin St. #904, Madison 53703, 608-263-6675.

[D1] Palmyra-Eagle School Dist. v. Thompson. Cir. Ct. Jefferson Co. 1978. Decision Sept. 1978, D. State Superintendent overturned school board's order of expulsion on grounds that student's misconduct did not satisfy statutory criteria for expulsion. School board sought review. Martin W. Harrison, 154 W. Main St., Whitewater 53190, 414-473-7900.

[H1 P1] M.R. v. Milwaukee Public Schools. U.S. Dist. Ct. E.D. July 1980. Class action. Decision Sept. 1980. M. 495 F. Supp. 864. Sp. Ed. Plaintiffs challenge the termination of their day service placements. Whether 94-142 due process procedures are applicable to children considered under Section 504. Harold Harlow; Youth Policy and Law Center, 30 West Mifflin St. #904, Madison 53703, 608-263-6675.

[D1] Racine Unified School Dist. v. Dept. of Public Instruction. Cir. Ct. Racine Co. 1980. Moot, 1981. School district petition for judicial review of State Superintendent decision and order, overturning district's expulsion of student for failure to satisfy statutory criteria for expulsion. Kenneth F. Hostak; Thompson & Coates, Ltd., 840 Lake Ave., Racine 53401, 414-632-7541.

[D8] Racine Unified School Dist. v. Thompson. Cir. Ct. Racine Co. Decision M. Ct. of Appeals 1980. Whether school district could rely on hearsay evidence in a decision to expel a student. Circuit Court answered in the affirmative, but upheld the State Superintendent's order of reinstatement on the merits. Gilbert Berthelsen, 524 Main St., Racine 53403, 414-637-1266.

[H1 P1] St. Mary's Hill Hospital v. Ben-Hur. Cir. Ct. Milwaukee Co. 1980. Dismissed for failure to exhaust administrative remedies. Action by hospital to recover costs of inpatient psychiatric hospitalization for defendant's son. Defendant parents sought to implead the state and the school district alleging that they were responsible for the hospitalization since they allegedly failed to provide defendant's son with a free appropriate public education. Thomas G. A. Herz; Herz, Levin, Teper, Chernoff & Sumner, 777 E. Wisconsin Ave., Milwaukee 53202, 414-273-4333.

[S1] Wallace v. Wisconsin Independent School Activities Ass'n. U.S. Dist. Ct. Mar. 1980. Decision Mar. 1980, D. The Association ruled that the student and his team were ineligible to play in a tournament because he had recently moved into the district. Larry Ratzel, Milwaukee, 414-782-8395.

[S1] Wallace v. Wisconsin Independent School Activities Ass'n. Cir. Ct. Milwaukee Co. Mar. 1980. Decision 1980, P. Challenge to Association ruling that the student and his team were ineligible to play in a tournament because he had recently transferred into the district. Richard E. Reilly; Gimbel, Gimbel & Reilly, 900 MGIC Plaza, 270 East Kilbourn Ave., Milwaukee 53202, 414-271-1440.

[D1] Weddig v. Waupaca Unified Schools. U.S. Dist. Ct. E.D. 1978. Class Action. Settled. Contesting suspending students for a mass disruption and refusal to leave the school auditorium. Defense attorney is Ronald J. Kotneck; Isaksen, Lathrop, Esch, Hart, & Clark, P.O. Box 1507, Madison 53701, 608-257-7766.

[H6] Wells v. Wisconsin Dept. of Public Instruction. U.S. Dist. Ct. W.D. 1979. Sp. Ed. Suit for better facilities and teaching for handicapped child in a segregated class in public school. Linda A. Leaf, 611 N. Broadway, Milwaukee 53202, 414-765-0643.

WYOMING

[F1] Alexander v. Campbell. State Dist. Ct. Apr. 1980. Settled 1980. Whether students who protested a teacher's firing received harsher punishments than the school rules allow. John Daly; Daly, Maycock, & Anderson, Box 38, Gillette 82716, 307-682-5141.

[H6] Burton v. Powell School Dist. U.S. Dist. Ct. June 1978. Decision May 1980, M. Sp. Ed. Damage suit for failure to provide special education services to a learning disabled child. Patrick E. Hacker, 2811 Central Avenue, Cheyenne 82001, 307-634-8811.

[D8] Clements v. Bd. of Trustees of Sheridan Co. School Dist. Sheridan Co. 1977. Decision, D. Wyoming Supreme Ct. Decision Sept. 1978, D. 585 P.2d 197. Contesting a suspension (for blocking the school bus with his car) on due process grounds. Timothy S. Tarver; Koester & Tarver, 172 N. Main Street, Sheridan 82801, 307-674-6473.

[B6] Herman v. School Dist. No. 25. State Dist. Ct. Apr. 1979. Decision Apr. 1979, D. Whether a school district's rule is arbitrary and capricious when it forbids the participation in graduation ceremonies of a senior who has the credits to graduate, but leaves school before the end of the school year. Robert Anderson; Anderson and Anderson P.C., Broadway at Park, Riverton 82501, 307-856-9279.

[P1] Laramie Co. School Dist. No. 1 v. Curtis. State Dist. Ct. 1979. Settled. Sp. Ed. Whether or not a school district can appoint an independent hearing officer with decision making authority under Wyoming law. Paul J. Hickey; Horiskey, Bagley, & Hickey, P.O. Box #467, Cheyenne 82001, 307-634-1525.

[R1] Star v. Platt Co. School Dist. No. 1. U.S. Dist. Ct. 1977. Settled. Church claimed that students should be given more excused absences to attend religious functions. Bryan E. Sharratt, Box 159, Wheatland 82201, 307-322-9211.

[D1] Taylor v. Sheridan Co. School Dist. Dist. Ct. May 1981. Decision May 1981, P. Expulsion for streaking contested on grounds of lack of evidence of degradation of morals (as required by regulations) vagueness of regulations, and excessive punishment. Hardy Tate, 104 S. Main St., Sheridan 82801, 307-674-9027.

[E7] Washakie Co. School Dist. No. 1 v. Herschler. State Dist. Ct. June 1978. Decision May 1979, D. Wyoming Supreme Ct. 1979. Decision Jan. 1980, P. 606 P.2d 310. U.S. Supreme Ct. denied certiorari. Challenge to the state's use of property tax to finance education as violating the Wyoming constitutional provision for equal protection. John W. Davis; Davis, Donnell, & Worral, 212 S. 7th Street, Worland 82401, 307-347-8241.